



**Iowa General Assembly
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House Amendment 1743

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1 Amend the amendment, S=3227, to Senate File 509,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 #1. By striking page 1, line 5, through page 21,
5 line 38, and inserting:
6 <<DIVISION I
7 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
8 GENERAL APPROPRIATIONS FOR FY 2011=2012
9 Section 1. GENERAL FUND ==== DEPARTMENT.
10 1. There is appropriated from the general fund of
11 the state to the department of agriculture and land
12 stewardship for the fiscal year beginning July 1, 2011,
13 and ending June 30, 2012, the following amount, or
14 so much thereof as is necessary, to be used for the
15 purposes designated:
16 For purposes of supporting the department, including
17 its divisions, for administration, regulation, and
18 programs; for salaries, support, maintenance, and
19 miscellaneous purposes; and for not more than the
20 following full-time equivalent positions:
21 \$ 16,497,308
22 FTEs 345.00
23 2. The department shall submit a report each
24 quarter of the fiscal year to the legislative services
25 agency, the department of management, the members of
26 the joint appropriations subcommittee on agriculture
27 and natural resources, and the chairpersons and
28 ranking members of the senate and house committees on
29 appropriations. The report shall describe in detail
30 the expenditure of moneys appropriated in this section
31 to support the department's administration, regulation,
32 and programs.
33 3. Of the amount appropriated in this section,
34 \$238,000 is transferred to Iowa state university of
35 science and technology, to be used for the university's
36 midwest grape and wine industry institute.
37 DESIGNATED APPROPRIATIONS ==== ANIMAL HUSBANDRY
38 Sec. 2. UNCLAIMED PARI=MUTUEL WAGERING WINNINGS ====
39 HORSE AND DOG RACING. There is appropriated from the
40 moneys available under section 99D.13 to the department
41 of agriculture and land stewardship for the fiscal year
42 beginning July 1, 2011, and ending June 30, 2012, the
43 following amount, or so much thereof as is necessary,
44 to be used for the purposes designated:
45 For purposes of supporting the department's
46 administration and enforcement of horse and dog racing
47 law pursuant to section 99D.22, including for salaries,
48 support, maintenance, and miscellaneous purposes:
49 \$ 305,516
50 DESIGNATED APPROPRIATIONS ==== MOTOR FUEL



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2 1 Sec. 3. RENEWABLE FUEL INFRASTRUCTURE FUND ====
2 2 MOTOR FUEL INSPECTION. There is appropriated from
2 3 the renewable fuel infrastructure fund created in
2 4 section 15G.205 to the department of agriculture and
2 5 land stewardship for the fiscal year beginning July 1,
2 6 2011, and ending June 30, 2012, the following amount,
2 7 or so much thereof as is necessary, to be used for the
2 8 purposes designated:
2 9 For purposes of the inspection of motor fuel,
2 10 including salaries, support, maintenance, and
2 11 miscellaneous purposes:
2 12 \$ 500,000
2 13 The department shall establish and administer
2 14 programs for the auditing of motor fuel including
2 15 biofuel processing and production plants, for screening
2 16 and testing motor fuel, including renewable fuel,
2 17 and for the inspection of motor fuel sold by dealers
2 18 including retail dealers who sell and dispense motor
2 19 fuel from motor fuel pumps.
2 20 DESIGNATED APPROPRIATIONS ==== LOCAL FOOD AND FARM
2 21 COORDINATOR
2 22 Sec. 4. APPROPRIATION ==== DEPARTMENT OF AGRICULTURE
2 23 AND LAND STEWARDSHIP ==== LOCAL FOOD AND FARM PROGRAM
2 24 COORDINATOR.
2 25 1. There is appropriated from the general fund of
2 26 the state to the department of agriculture and land
2 27 stewardship for the fiscal year beginning July 1, 2011,
2 28 and ending June 30, 2012, the following amount, or
2 29 so much thereof as is necessary, to be used for the
2 30 purposes designated:
2 31 For purposes of supporting a local food and farm
2 32 program coordinator as provided in chapter 267A,
2 33 as enacted by this Act, for salaries, support,
2 34 maintenance, and miscellaneous purposes, and for not
2 35 more than the following full-time equivalent positions:
2 36 \$ 75,000
2 37 FTEs 1.00
2 38 2. The department shall enter into a cost-sharing
2 39 agreement with Iowa state university to support
2 40 the local food and farm program coordinator. The
2 41 coordinator shall be stationed at Iowa state university
2 42 as provided in chapter 267A, as enacted by this Act.
2 43 DESIGNATED APPROPRIATIONS ==== AGRICULTURAL EDUCATION
2 44 Sec. 5. AGRICULTURAL EDUCATION. There is
2 45 appropriated from the general fund of the state to the
2 46 department of agriculture and land stewardship for the
2 47 fiscal year beginning July 1, 2011, and ending June 30,
2 48 2012, the following amount, or so much thereof as is
2 49 necessary, to be used for the purposes designated:
2 50 For purposes of allocating moneys to an Iowa



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3 1 association affiliated with a national organization
3 2 which promotes agricultural education providing for
3 3 future farmers:
3 4 \$ 25,000
3 5
3 6 DIVISION II
3 7 DEPARTMENT OF NATURAL RESOURCES
3 8 GENERAL APPROPRIATIONS FOR FY 2011=2012
3 9 Sec. 6. GENERAL FUND ==== DEPARTMENT.
3 10 1. There is appropriated from the general fund of
3 11 the state to the department of natural resources for
3 12 the fiscal year beginning July 1, 2011, and ending June
3 13 30, 2012, the following amount, or so much thereof as
3 14 is necessary, to be used for the purposes designated:
3 15 For purposes of supporting the department, including
3 16 its divisions, for administration, regulation, and
3 17 programs; for salaries, support, maintenance, and
3 18 miscellaneous purposes; and for not more than the
3 19 following full=time equivalent positions:
3 20 \$ 12,291,688
3 21 FTEs 1,145.95
3 22 2. Of the number of full=time equivalent positions
3 23 authorized to the department pursuant to subsection 1,
3 24 50.00 full=time equivalent positions shall be allocated
3 25 by the department for seasonal employees for purposes
3 26 of providing maintenance, upkeep, and sanitary services
3 27 at state parks.
3 28 3. The department shall submit a report each
3 29 quarter of the fiscal year to the legislative services
3 30 agency, the department of management, the members of
3 31 the joint appropriations subcommittee on agriculture
3 32 and natural resources, and the chairpersons and
3 33 ranking members of the senate and house committees on
3 34 appropriations. The report shall describe in detail
3 35 the expenditure of moneys appropriated under this
3 36 section to support the department's administration,
3 37 regulation, and programs.
3 38 Sec. 7. STATE FISH AND GAME PROTECTION FUND ====

3 39 DIVISION OF FISH AND WILDLIFE.
3 40 1. There is appropriated from the state fish and
3 41 game protection fund to the department of natural
3 42 resources for the fiscal year beginning July 1, 2011,
3 43 and ending June 30, 2012, the following amount, or
3 44 so much thereof as is necessary, to be used for the
3 45 purposes designated:
3 46 For purposes of supporting the division of fish and
3 47 wildlife, including for administration, regulation,
3 48 and programs; and for salaries, support, maintenance,
3 49 equipment, and miscellaneous purposes:
3 50 \$ 38,793,154
3 51 2. Notwithstanding section 455A.10, the department



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4 1 may use the unappropriated balance remaining in the
4 2 state fish and game protection fund to provide for the
4 3 funding of health and life insurance premium payments
4 4 from unused sick leave balances of conservation peace
4 5 officers employed in a protection occupation who
4 6 retire, pursuant to section 97B.49B.
4 7 3. Notwithstanding section 455A.10, the department
4 8 of natural resources may use the unappropriated
4 9 balance remaining in the state fish and game protection
4 10 fund for the fiscal year beginning July 1, 2011,
4 11 and ending June 30, 2012, as is necessary to fund
4 12 salary adjustments for departmental employees which
4 13 the general assembly has made an operating budget
4 14 appropriation for in subsection 1.
4 15 Sec. 8. GROUNDWATER PROTECTION FUND ==== WATER
4 16 QUALITY. There is appropriated from the groundwater
4 17 protection fund created in section 455E.11 to the
4 18 department of natural resources for the fiscal year
4 19 beginning July 1, 2011, and ending June 30, 2012, from
4 20 those moneys which are not allocated pursuant to that
4 21 section, the following amount, or so much thereof as is
4 22 necessary, to be used for the purposes designated:
4 23 For purposes of supporting the department's
4 24 protection of the state's groundwater, including
4 25 for administration, regulation, and programs, and
4 26 for salaries, support, maintenance, equipment, and
4 27 miscellaneous purposes:
4 28 \$ 3,455,832
4 29 DESIGNATED APPROPRIATIONS ==== MISCELLANEOUS
4 30 Sec. 9. SPECIAL SNOWMOBILE FUND ==== SNOWMOBILE
4 31 PROGRAM. There is appropriated from the special
4 32 snowmobile fund created under section 321G.7 to the
4 33 department of natural resources for the fiscal year
4 34 beginning July 1, 2011, and ending June 30, 2012, the
4 35 following amount, or so much thereof as is necessary,
4 36 to be used for the purpose designated:
4 37 For purposes of administering and enforcing the
4 38 state snowmobile programs:
4 39 \$ 100,000
4 40 Sec. 10. UNASSIGNED REVENUE FUND ==== UNDERGROUND
4 41 STORAGE TANK SECTION EXPENSES. There is appropriated
4 42 from the unassigned revenue fund administered by the
4 43 Iowa comprehensive underground storage tank fund
4 44 board to the department of natural resources for the
4 45 fiscal year beginning July 1, 2011, and ending June 30,
4 46 2012, the following amount, or so much thereof as is
4 47 necessary, to be used for the purpose designated:
4 48 For purposes of paying for administration expenses
4 49 of the department's underground storage tank section:
4 50 \$ 200,000



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5 1 Sec. 11. STORM WATER DISCHARGE PERMIT FEES ====

5 2 SUPPORT FOR SPECIAL PURPOSES. Notwithstanding any

5 3 contrary provision of state law, for the fiscal year

5 4 beginning July 1, 2011, and ending June 30, 2012, the

5 5 department of natural resources may use additional

5 6 moneys available to the department collected from

5 7 storm water discharge permit fees as provided in

5 8 sections 455B.103A and 455B.197 for the staffing of the

5 9 following additional full-time equivalent positions for

5 10 the purposes designated:

5 11 1. For purposes of reducing the department's

5 12 floodplain permit backlog:

5 13 FTEs 2.00

5 14 2. For purposes of implementing the federal total

5 15 maximum daily load program:

5 16 FTEs 2.00

5 17 DIVISION III

5 18 IOWA STATE UNIVERSITY

5 19 APPROPRIATION FOR FY 2011=2012

5 20 Sec. 12. GENERAL FUND ==== VETERINARY DIAGNOSTIC

5 21 LABORATORY.

5 22 1. There is appropriated from the general fund

5 23 of the state to Iowa state university of science and

5 24 technology for the fiscal year beginning July 1, 2011,

5 25 and ending June 30, 2012, the following amount, or

5 26 so much thereof as is necessary, to be used for the

5 27 purposes designated:

5 28 For purposes of supporting the college of veterinary

5 29 medicine for the operation of the veterinary diagnostic

5 30 laboratory and for not more than the following

5 31 full-time equivalent positions:

5 32 \$ 3,237,636

5 33 FTEs 50.00

5 34 2. a. Iowa state university of science and

5 35 technology shall not reduce the amount that it

5 36 allocates to support the college of veterinary medicine

5 37 from any other source due to the appropriation made in

5 38 this section.

5 39 b. Paragraph "a" does not apply to a reduction made

5 40 to support the college of veterinary medicine, if the

5 41 same percentage of reduction imposed on the college

5 42 of veterinary medicine is also imposed on all of Iowa

5 43 state university's budget units.

5 44 3. If by June 30, 2012, Iowa state university

5 45 of science and technology fails to allocate the

5 46 moneys appropriated in this section to the college of

5 47 veterinary medicine in accordance with this section,

5 48 the moneys appropriated in this section for that fiscal

5 49 year shall revert to the general fund of the state.

5 50 Sec. 13. VETERINARY DIAGNOSTIC LABORATORY =====



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6 1 FUTURE YEAR. This section applies if appropriations
6 2 made in this Act and all other Acts enacted by the
6 3 Eighty=fourth General Assembly during the 2011 regular
6 4 session and all extraordinary sessions, for the
6 5 fiscal year beginning July 1, 2011, and ending June
6 6 30, 2012, for purposes of supporting the operation
6 7 of the veterinary diagnostic laboratory associated
6 8 with the college of veterinary medicine at Iowa state
6 9 university, total less than \$4,000,000. It is the
6 10 intent of the general assembly that the amount of any
6 11 deficit will be appropriated by the general assembly
6 12 during its 2012 regular session for purposes of
6 13 supporting the operation of the veterinary diagnostic
6 14 laboratory for the fiscal year beginning July 1, 2012,
6 15 and ending June 30, 2013.

6 16 DIVISION IV

6 17 ENVIRONMENT FIRST FUND

6 18 GENERAL APPROPRIATIONS FOR FY 2011=2012

6 19 Sec. 14. DEPARTMENT OF AGRICULTURE AND LAND
6 20 STEWARDSHIP. There is appropriated from the
6 21 environment first fund created in section 8.57A to the
6 22 department of agriculture and land stewardship for the
6 23 fiscal year beginning July 1, 2011, and ending June 30,
6 24 2012, the following amounts, or so much thereof as is
6 25 necessary, to be used for the purposes designated:

6 26 1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)
6 27 a. For the conservation reserve enhancement program
6 28 to restore and construct wetlands for the purposes of
6 29 intercepting tile line runoff, reducing nutrient loss,
6 30 improving water quality, and enhancing agricultural
6 31 production practices:

6 32 \$ 1,000,000

6 33 b. Not more than 10 percent of the moneys
6 34 appropriated in paragraph "a" may be used for costs of
6 35 administration and implementation of soil and water
6 36 conservation practices.

6 37 c. Notwithstanding any other provision in law,
6 38 the department may provide state resources from this
6 39 appropriation, in combination with other appropriate
6 40 environment first fund appropriations, for cost sharing
6 41 to match United States department of agriculture,
6 42 natural resources conservation service, wetlands
6 43 reserve enhancement program (WREP) funding available
6 44 to Iowa.

6 45 2. WATERSHED PROTECTION

6 46 a. For continuation of a program that provides
6 47 multiobjective resource protections for flood control,
6 48 water quality, erosion control, and natural resource
6 49 conservation:

6 50 \$ 900,000



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7 1 b. Not more than 10 percent of the moneys
7 2 appropriated in paragraph "a" may be used for costs of
7 3 administration and implementation of soil and water
7 4 conservation practices.
7 5 3. FARM MANAGEMENT DEMONSTRATION PROGRAM
7 6 a. For continuation of a statewide voluntary farm
7 7 management demonstration program to demonstrate the
7 8 effectiveness and adaptability of emerging practices in
7 9 agronomy that protect water resources and provide other
7 10 environmental benefits:
7 11 \$ 525,000
7 12 b. Not more than 10 percent of the moneys
7 13 appropriated in paragraph "a" may be used for costs of
7 14 administration and implementation of soil and water
7 15 conservation practices.
7 16 c. The department of agriculture and land
7 17 stewardship shall allocate an amount of moneys
7 18 appropriated in paragraph "a" to an organization
7 19 representing soybean growers for purposes of supporting
7 20 an agriculture and environment performance program in
7 21 order to carry out the purposes of this subsection as
7 22 specified in paragraph "a". The amount of the moneys
7 23 allocated shall be determined by the secretary of
7 24 agriculture.
7 25 4. SOIL AND WATER CONSERVATION ==== ADMINISTRATION
7 26 For use by the department for costs of
7 27 administration and implementation of soil and water
7 28 conservation practices:
7 29 \$ 2,000,000
7 30 5. CONSERVATION RESERVE PROGRAM (CRP)
7 31 a. To encourage and assist farmers in enrolling
7 32 in and the implementation of the federal conservation
7 33 reserve program and to work with them to enhance their
7 34 revegetation efforts to improve water quality and
7 35 habitat:
7 36 \$ 1,000,000
7 37 b. Not more than 10 percent of the moneys
7 38 appropriated in paragraph "a" may be used for costs of
7 39 administration and implementation of soil and water
7 40 conservation practices.
7 41 6. SOIL AND WATER CONSERVATION
7 42 a. For use by the department in providing for soil
7 43 and water conservation administration, the conservation
7 44 of soil and water resources, or the support of soil and
7 45 water conservation district commissioners:
7 46 \$ 6,300,000
7 47 b. Not more than 5 percent of the moneys
7 48 appropriated in paragraph "a" may be allocated for
7 49 cost sharing to address complaints filed under section
7 50 161A.47.



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8 1 c. Of the moneys appropriated in paragraph "a",
8 2 5 percent shall be allocated for financial incentives
8 3 to establish practices to protect watersheds above
8 4 publicly owned lakes of the state from soil erosion and
8 5 sediment as provided in section 161A.73.

8 6 d. Not more than 30 percent of a soil and water
8 7 conservation district's allocation of moneys as
8 8 financial incentives may be provided for the purpose
8 9 of establishing management practices to control soil
8 10 erosion on land that is row cropped, including but
8 11 not limited to no=till planting, ridge=till planting,
8 12 contouring, and contour strip=cropping as provided in
8 13 section 161A.73.

8 14 e. The state soil conservation committee
8 15 established by section 161A.4 may allocate moneys
8 16 appropriated in paragraph "a" to conduct research and
8 17 demonstration projects to promote conservation tillage
8 18 and nonpoint source pollution control practices.

8 19 f. The allocation of moneys as financial incentives
8 20 as provided in section 161A.73 may be used in
8 21 combination with moneys allocated by the department of
8 22 natural resources.

8 23 g. Not more than 15 percent of the moneys
8 24 appropriated in paragraph "a" may be used for costs of
8 25 administration and implementation of soil and water
8 26 conservation practices.

8 27 h. In lieu of moneys appropriated in section
8 28 466A.5, not more than \$50,000 of the moneys
8 29 appropriated in paragraph "a" shall be used by the soil
8 30 conservation division of the department of agriculture
8 31 and land stewardship to provide administrative support
8 32 to the watershed improvement review board established
8 33 in section 466A.3.

8 34 Sec. 15. DEPARTMENT OF NATURAL RESOURCES. There is
8 35 appropriated from the environment first fund created in
8 36 section 8.57A to the department of natural resources
8 37 for the fiscal year beginning July 1, 2011, and ending
8 38 June 30, 2012, the following amounts, or so much
8 39 thereof as is necessary, to be used for the purposes
8 40 designated:

8 41 1. KEEPERS OF THE LAND

8 42 For statewide coordination of volunteer efforts
8 43 under the water quality and keepers of the land
8 44 programs:

8 45 \$ 100,000

8 46 2. STATE PARKS MAINTENANCE AND OPERATIONS

8 47 For regular maintenance of state parks and staff
8 48 time associated with these activities:

8 49 \$ 3,410,000

8 50 3. FORESTRY HEALTH MANAGEMENT



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9 1 To provide for forestry health management programs:
9 2 \$ 100,000
9 3 4. GEOGRAPHIC INFORMATION SYSTEM (GIS)
9 4 To provide local watershed managers with geographic
9 5 information system data for their use in developing,
9 6 monitoring, and displaying results of their watershed
9 7 work:
9 8 \$ 195,000
9 9 5. WATER QUALITY MONITORING
9 10 For continuing the establishment and operation of
9 11 water quality monitoring stations:
9 12 \$ 2,955,000
9 13 6. PUBLIC WATER SUPPLY SYSTEM ACCOUNT
9 14 For deposit in the public water supply system
9 15 account of the water quality protection fund created
9 16 in section 455B.183A:
9 17 \$ 500,000
9 18 7. REGULATION OF ANIMAL FEEDING OPERATIONS
9 19 For the regulation of animal feeding operations,
9 20 including as provided for in chapters 459 through 459B:
9 21 \$ 520,000
9 22 8. AMBIENT AIR QUALITY
9 23 For the abatement, control, and prevention of
9 24 ambient air pollution in this state, including measures
9 25 as necessary to assure attainment and maintenance of
9 26 ambient air quality standards from particulate matter:
9 27 \$ 425,000
9 28 9. WATER QUANTITY REGULATION
9 29 For regulating water quantity from surface and
9 30 subsurface sources by providing for the allocation and
9 31 use of water resources, the protection and management
9 32 of water resources, and the preclusion of conflicts
9 33 among users of water resources, including as provided
9 34 in chapter 455B, division III, part 4:
9 35 \$ 495,000
9 36 10. GEOLOGICAL AND WATER SURVEY
9 37 For continuing the operations of the department's
9 38 geological and water survey including but not limited
9 39 to providing analysis, data collection, investigative
9 40 programs, and information for water supply development
9 41 and protection:
9 42 \$ 200,000
9 43 Sec. 16. REVERSION. Notwithstanding section 8.33,
9 44 moneys appropriated for the fiscal year beginning
9 45 July 1, 2011, in this division of this Act that remain
9 46 unencumbered or unobligated at the close of the fiscal
9 47 year shall not revert but shall remain available to
9 48 be used for the purposes designated until the close
9 49 of the fiscal year beginning July 1, 2012, or until
9 50 the project for which the appropriation was made is



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10 1 completed, whichever is earlier.
10 2 DIVISION V
10 3 RESOURCES ENHANCEMENT AND PROTECTION
10 4 (REAP) FUND FOR FY 2011=2012
10 5 GENERAL APPROPRIATIONS
10 6 Sec. 17. ENVIRONMENT FIRST FUND. Notwithstanding
10 7 the amount of the standing appropriation from the
10 8 general fund of the state to the Iowa resources
10 9 enhancement and protection fund as provided in section
10 10 455A.18, there is appropriated from the environment
10 11 first fund created in section 8.57A to the Iowa
10 12 resources enhancement and protection fund, in lieu of
10 13 the appropriation made in section 455A.18, for the
10 14 fiscal year beginning July 1, 2011, and ending June 30,
10 15 2012, the following amount, to be allocated as provided
10 16 in section 455A.19:
10 17 \$ 12,375,000
10 18 DIVISION VI
10 19 AGRICULTURAL DRAINAGE WELL CLOSURE
10 20 Sec. 18. REPORT. The department of agriculture
10 21 and land stewardship shall prepare a report regarding
10 22 agricultural drainage wells that have not been closed
10 23 as provided in chapter 460. The report shall include
10 24 an inventory of agricultural drainage wells that
10 25 remain unclosed, a projected timeline for closing the
10 26 agricultural drainage wells, and an estimate of the
10 27 costs for closing each agricultural drainage well. The
10 28 department shall submit the report to the governor and
10 29 fiscal services division of the legislative services
10 30 agency not later than November 15, 2011.
10 31 DIVISION VII
10 32 SOIL NUTRIENT MASS STUDY
10 33 Sec. 19. WATERSHED IMPROVEMENT REVIEW BOARD.
10 34 1. Notwithstanding any provision to the contrary in
10 35 chapter 466A, the watershed improvement review board
10 36 established in section 466A.3 may authorize up to fifty
10 37 thousand dollars of moneys available in the watershed
10 38 improvement fund created in section 466A.2, for the
10 39 fiscal period beginning July 1, 2011, and ending
10 40 January 1, 2013, to finance a study of soil nutrient
10 41 mass balance issues.
10 42 2. The study financed by the board under this
10 43 section shall be conducted by the department of
10 44 agriculture and land stewardship in cooperation with
10 45 the Iowa state university college of agriculture.
10 46 The department, in cooperation with the college of
10 47 agriculture, shall study the leaching of nutrients from
10 48 the soil; the related impacts on soil sustainability;
10 49 productivity; water quality, including erosion,
10 50 sediment, and phosphorus attached to sediment; and the



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11 1 soil's capacity to absorb and hold water.
11 2 3. The department of agriculture and land
11 3 stewardship shall submit the results of the study
11 4 financed by the board under this section to the board,
11 5 the governor, and general assembly by January 10, 2013.
11 6 DIVISION VIII
11 7 ELIMINATION OF POSITION AND EXPENDITURE OF MONEYS
11 8 Sec. 20. ELIMINATION OF CHIEF AND ASSISTANT CHIEF
11 9 OF THE LAW ENFORCEMENT BUREAU OF THE DEPARTMENT OF
11 10 NATURAL RESOURCES. Effective August 1, 2011, the
11 11 position of assistant chief of the law enforcement
11 12 bureau of the department of natural resources is
11 13 eliminated.
11 14 Sec. 21. USE OF MONEYS SAVED FROM THE ELIMINATION
11 15 OF POSITION ==== ADDITIONAL CONSERVATION OFFICER. For
11 16 the fiscal year beginning July 1, 2011, and ending June
11 17 30, 2012, the department of natural resources shall
11 18 use moneys saved by the elimination of the position
11 19 of assistant chief of the law enforcement bureau of
11 20 the department of natural resources as provided in
11 21 this division for purposes of supporting an additional
11 22 full-time equivalent position including salaries,
11 23 support, maintenance, and miscellaneous purposes. The
11 24 full-time equivalent position shall be a conservation
11 25 officer assigned to field duties.
11 26 DIVISION IX
11 27 AGRICULTURE AND NATURAL RESOURCES
11 28 DEPARTMENT OF NATURAL RESOURCES
11 29 USE OF MONEYS IN THE STATE FISH AND GAME PROTECTION
11 30 FUND FOR FY 2010=2011
11 31 Sec. 22. USE OF MONEYS ==== RADIOS.
11 32 1. Notwithstanding 2010 Iowa Acts, chapter 1191,
11 33 section 7, the department of natural resources may use
11 34 the unappropriated balance remaining in the state fish
11 35 and game protection fund for the fiscal year beginning
11 36 July 1, 2010, and ending June 30, 2011, to purchase
11 37 mobile radios to meet federal and state requirements
11 38 for homeland security and public safety. This section
11 39 applies to those moneys in the fund that are not
11 40 otherwise used, obligated, or encumbered for payment
11 41 of health and life insurance premium payments for
11 42 conservation peace officer retirements for that fiscal
11 43 year. The department may use such moneys until October
11 44 31, 2011.
11 45 2. Of the amount appropriated in subsection 1,
11 46 the department of natural resources may enter into
11 47 a public-private partnership, through a competitive
11 48 bidding process, for the provision of the statewide
11 49 network and the purchase of compatible equipment.
11 50 3. On or before January 13, 2012, the department of



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12 1 natural resources in cooperation with the department of
12 2 public safety shall provide a report to the legislative
12 3 services agency and the department of management.
12 4 The report shall detail the status of the moneys
12 5 appropriated in subsection 1 and shall include the
12 6 estimated needs of the department of natural resources
12 7 to achieve interoperability and to meet the federal
12 8 narrowbanding mandate, any changes in estimated costs
12 9 to meet those needs, and the status of requests for
12 10 proposals to develop a public-private partnership.
12 11 Sec. 23. EFFECTIVE UPON ENACTMENT AND RETROACTIVE
12 12 APPLICABILITY. This division of this Act, being deemed
12 13 of immediate importance, takes effect upon enactment
12 14 and, if approved by the governor on or after July 1,
12 15 2011, shall apply retroactively to June 30, 2011.

12 16 DIVISION X

12 17 RELATED STATUTORY CHANGES FOR CODIFICATION IN 2011

12 18 RURAL IMPROVEMENT ZONES

12 19 Sec. 24. Section 357H.7, Code 2011, is amended to
12 20 read as follows:

12 21 357H.7 Board of trustees ==== power.

12 22 The trustees of a rural improvement zone elected
12 23 pursuant to section 357H.6 shall constitute the board
12 24 of trustees of the zone and shall manage and control
12 25 the affairs, property, and facilities of the zone. The
12 26 board of trustees shall elect a president, a clerk,
12 27 and a treasurer from its membership. The trustees
12 28 may authorize construction, reconstruction, or repair
12 29 of improvements ~~within the zone~~ following procedures
12 30 set out in section 331.341. For these purposes, the
12 31 trustees may purchase material, employ personnel,
12 32 acquire real estate and interests in real estate, and
12 33 perform all other acts necessary to properly maintain
12 34 and operate the zone. The trustees are allowed
12 35 necessary expenses in the discharge of their duties,
12 36 but they shall not receive salaries.

12 37 DIVISION XI

12 38 RELATED STATUTORY CHANGES FOR CODIFICATION IN 2011

12 39 GROUNDWATER PROTECTION FUND

12 40 Sec. 25. Section 455E.11, subsection 2, paragraph
12 41 a, subparagraph (1), subparagraph division (a),
12 42 subparagraph subdivision (ii), subparagraph part (B),
12 43 Code 2011, is amended to read as follows:

12 44 (B) Expend not more than fifty percent of the
12 45 moneys for a community partnership program designed to
12 46 support community beautification projects ~~including~~
~~the deconstruction, renovation, or removal of derelict~~
~~buildings. Eligible communities are limited to cities~~
~~of five thousand or fewer in population. Eligible~~
~~costs shall include but are not limited to asbestos~~



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~~13 1 abatement and removal, the recovery and processing
13 2 of recyclable or reusable material from derelict
13 3 buildings, and reimbursement for purchased recycled
13 4 content materials used in the renovation of buildings.
13 5 Special consideration may be given to communities that
13 6 hire the unemployed to deconstruct structures, clean
13 7 up the properties, and, if there is no immediate buyer
13 8 for the properties, turn the properties into green
13 9 spaces. Any business entity or individual engaged in
13 10 the removal or abatement of asbestos must have obtained
13 11 a valid license or permit as required in chapter 88B.~~

13 12 Sec. 26. Section 455E.11, subsection 2, paragraph
13 13 a, subparagraph (1), Code 2011, is amended by adding
13 14 the following new subparagraph division:

13 15 NEW SUBPARAGRAPH DIVISION. (0e) Not more than
13 16 four hundred thousand dollars to the department for
13 17 purposes of providing funding assistance to eligible
13 18 communities to address abandoned buildings by promoting
13 19 waste abatement, diversion, selective dismantlement
13 20 of building components, and recycling. Eligible
13 21 communities include a city with a population of
13 22 five thousand or fewer. Eligible costs for program
13 23 assistance include but are not limited to asbestos and
13 24 other hazardous material abatement and removal, the
13 25 recovery processing of recyclable or reusable material
13 26 through the selective dismantlement of abandoned
13 27 buildings, and reimbursement for purchased recycled
13 28 content materials used in the renovation of buildings.
13 29 For projects that support community beautification, the
13 30 department may elect to administer funding to eligible
13 31 communities in collaboration with the organization
13 32 awarded the beautification grant in accordance with
13 33 subparagraph division (a), subparagraph subdivision
13 34 (i).

13 35 DIVISION XII
13 36 RELATED STATUTORY CHANGES FOR CODIFICATION IN 2011
13 37 IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK
13 38 FUND

13 39 Sec. 27. Section 455G.3, subsections 6 through 8,
13 40 Code 2011, are amended to read as follows:

13 41 6. a. For the fiscal year beginning July 1,
13 42 2010, and each fiscal year thereafter, there is
13 43 appropriated from the Iowa comprehensive petroleum
13 44 underground storage tank fund to the department of
13 45 natural resources two hundred thousand dollars for
13 46 purposes of technical review support to be conducted
13 47 by nongovernmental entities for leaking underground
13 48 storage tank assessments.

13 49 b. Notwithstanding section 8.33, moneys
13 50 appropriated in this subsection that remain



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14 1 unencumbered or unobligated at the close of the fiscal
14 2 year shall not revert but shall remain available for
14 3 expenditure for the purposes designated until the close
14 4 of the succeeding fiscal year.

14 5 7. a. For the fiscal year beginning July 1, 2010,
14 6 there is appropriated from the Iowa comprehensive
14 7 petroleum underground storage tank fund to the
14 8 department of natural resources one hundred thousand
14 9 dollars for purposes of database modifications
14 10 necessary to accept batched external data regarding
14 11 underground storage tank inspections conducted by
14 12 nongovernmental entities.

14 13 b. Notwithstanding section 8.33, moneys
14 14 appropriated in this subsection that remain
14 15 unencumbered or unobligated at the close of the fiscal
14 16 year shall not revert but shall remain available for
14 17 expenditure for the purposes designated until the close
14 18 of the succeeding fiscal year.

14 19 8. a. For the fiscal year beginning July 1, 2010,
14 20 and each fiscal year thereafter, there is appropriated
14 21 from the Iowa comprehensive petroleum underground
14 22 storage tank fund to the department of agriculture and
14 23 land stewardship two hundred fifty thousand dollars
14 24 for the sole and exclusive purpose of inspecting
14 25 fuel quality at pipeline terminals and renewable fuel
14 26 production facilities, including salaries, support,
14 27 maintenance, and miscellaneous purposes.

14 28 b. Notwithstanding section 8.33, moneys
14 29 appropriated in this subsection that remain
14 30 unencumbered or unobligated at the close of the fiscal
14 31 year shall not revert but shall remain available for
14 32 expenditure for the purposes designated until the close
14 33 of the succeeding fiscal year.

14 34 Sec. 28. EFFECTIVE UPON ENACTMENT AND RETROACTIVE
14 35 APPLICABILITY. This division of this Act, being deemed
14 36 of immediate importance, takes effect upon enactment
14 37 and, if approved by the governor on or after July 1,
14 38 2011, shall apply retroactively to June 30, 2011.

14 39 DIVISION XIII

14 40 AGRICULTURE AND NATURAL RESOURCES

14 41 RELATED STATUTORY CHANGES FOR CODIFICATION IN 2011 =====

14 42 LOCAL FOOD AND FARM INITIATIVE

14 43 Sec. 29. NEW SECTION. 267A.1 Purpose and goals.

14 44 1. The purpose of this chapter is to empower
14 45 farmers and food entrepreneurs to provide for strong
14 46 local food economies that promote self-sufficiency
14 47 and job growth in the agricultural sector and allied
14 48 sectors of the economy.

14 49 2. The goals of this chapter are to accomplish all
14 50 of the following:



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15 1 a. Promote the expansion of the production of local
15 2 foods, including all of the following:
15 3 (1) The production of Iowa=grown food, including
15 4 but not limited to livestock, eggs, milk, fruit,
15 5 vegetables, grains, herbs, honey, and nuts.
15 6 (2) The processing of Iowa=grown agricultural
15 7 products into food products, including canning,
15 8 freezing, dehydrating, bottling, or otherwise packaging
15 9 and preserving such products.
15 10 (3) The distribution and marketing of fresh and
15 11 processed Iowa=grown agricultural food products to
15 12 markets in this state and neighboring states.
15 13 b. Increase consumer and institutional spending on
15 14 Iowa=produced and marketed foods.
15 15 c. Increase the profitability of farmers and
15 16 businesses engaged in enterprises related to producing,
15 17 processing, distributing, and marketing local food.
15 18 d. Increase the number of jobs in this state's
15 19 farm and business economies associated with producing,
15 20 processing, distributing, and marketing local food.
15 21 Sec. 30. NEW SECTION. 267A.2 Definitions.
15 22 As used in this section, unless the context
15 23 otherwise requires:
15 24 1. "Coordinator" means the local food and farm
15 25 program coordinator created in section 267A.4.
15 26 2. "Council" means the local food and farm program
15 27 council established in section 267A.3.
15 28 3. "Department" means the department of agriculture
15 29 and land stewardship.
15 30 4. "Fund" means the local food and farm program
15 31 fund created in section 267A.5.
15 32 Sec. 31. NEW SECTION. 267A.3 Local food and farm
15 33 program council.
15 34 1. A local food and farm program council is
15 35 established to advise the local food and farm program
15 36 coordinator carrying out the purpose and goals of this
15 37 chapter as provided in section 267A.1.
15 38 2. The council shall be composed of the following
15 39 voting members:
15 40 a. The secretary of agriculture or the secretary's
15 41 designee.
15 42 b. Members appointed by the designated
15 43 organizations, at the discretion of the organization,
15 44 to represent the private sector as follows:
15 45 (1) One person by the practical farmers of Iowa who
15 46 is involved in local food production.
15 47 (2) One person by the Iowa farmers market
15 48 association.
15 49 c. Members appointed by the governor to represent
15 50 public or private entities involved in local food



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16 1 distribution, marketing, or processing as follows:
16 2 (1) One person who is associated with a resource
16 3 conservation and development office in this state.
16 4 (2) One person actively engaged in the distribution
16 5 of local food to processors, wholesalers, or retailers.
16 6 (3) One person from the regional food systems
16 7 working group who is actively engaged or an expert in
16 8 local food.
16 9 3. A member designated by the secretary of
16 10 agriculture shall serve at the pleasure of the
16 11 secretary. A member appointed by an organization shall
16 12 serve at the pleasure of that organization. A member
16 13 appointed by the governor shall serve at the pleasure
16 14 of the governor.
16 15 4. The council shall be part of the department.
16 16 The department shall perform administrative functions
16 17 necessary for the operation of the council.
16 18 5. The council shall elect a chairperson from among
16 19 its members each year on a rotating basis as provided
16 20 by the council. The council shall meet on a regular
16 21 basis and at the call of the chairperson or upon the
16 22 written request to the chairperson of a majority of the
16 23 members.
16 24 6. The members of the council shall not receive
16 25 compensation for their services including as provided
16 26 in section 7E.6. However, the members may be
16 27 reimbursed for their actual and necessary expenses
16 28 incurred in the performance of their duties as members
16 29 of the council if allowed by the council.
16 30 7. A majority of the members constitutes a quorum
16 31 and the affirmative vote of a majority of the members
16 32 present is necessary for any substantive action to
16 33 be taken by the council. The majority shall not
16 34 include any member who has a conflict of interest and a
16 35 statement by a member that the member has a conflict
16 36 of interest is conclusive for this purpose. A vacancy
16 37 in the membership does not impair the duties of the
16 38 council.
16 39 Sec. 32. NEW SECTION. 267A.4 Local food and farm
16 40 program coordinator.
16 41 The position of local food and farm program
16 42 coordinator is created within Iowa state university
16 43 as part of its cooperative extension service in
16 44 agriculture and home economics. The coordinator shall
16 45 be the primary state official charged with carrying out
16 46 the purposes and goals of this chapter.
16 47 Sec. 33. NEW SECTION. 267A.5 Local food and farm
16 48 program fund.
16 49 A local food and farm program fund is created in the
16 50 state treasury under the control of the department.



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17 1 The fund is separate from the general fund of the
17 2 state. The fund is composed of moneys appropriated
17 3 by the general assembly and moneys available to and
17 4 obtained or accepted by the local food and farm program
17 5 from the United States government or private sources
17 6 for placement in the fund. Moneys in the fund shall
17 7 be used to carry out the purpose and goals of this
17 8 chapter as provided in section 267A.1, including but
17 9 not limited to administering the local food and farm
17 10 program as provided in section 267A.6. The fund shall
17 11 be managed by the department in consultation with the
17 12 local food and farm coordinator, under the supervision
17 13 of the local food and farm program council.

17 14 Sec. 34. NEW SECTION. 267A.6 Local food and farm
17 15 program.

17 16 The local food and farm program coordinator, with
17 17 advice from the local food and farm program council,
17 18 shall develop and administer a local food and farm
17 19 program necessary to carry out the purpose and goals of
17 20 this chapter as provided in section 267A.1, including
17 21 but not limited to by improving any of the following:

17 22 1. Communication and cooperation between and among
17 23 farmers, food entrepreneurs, and consumers.

17 24 2. Coordination between and among government
17 25 agencies, public universities and community colleges,
17 26 organizations, and private=sector firms working on
17 27 local food and farm=related issues.

17 28 Sec. 35. NEW SECTION. 267A.7 Local food and farm
17 29 program report.

17 30 The local food and farm program coordinator shall
17 31 prepare an annual report dated June 30, which shall
17 32 evaluate the state's progress in accomplishing the
17 33 purpose and goals of this chapter. The report shall
17 34 be delivered to the governor and general assembly not
17 35 later than October 1 of each year.

17 36 DIVISION XIV

17 37 AGRICULTURE AND NATURAL RESOURCES

17 38 RELATED STATUTORY CHANGES FOR CODIFICATION

17 39 IN 2011 ==== ANIMAL AGRICULTURE

17 40 COMPLIANCE CIVIL PENALTIES

17 41 Sec. 36. Section 455B.109, subsection 5, Code 2011,
17 42 is amended by striking the subsection and inserting in
17 43 lieu thereof the following:

17 44 5. a. Except as provided in paragraph "b", all
17 45 civil penalties assessed by the department and interest
17 46 on the civil penalties shall be deposited in the
17 47 general fund of the state.

17 48 b. Civil penalties assessed and collected by or
17 49 on behalf of the department and interest on the civil
17 50 penalties as provided in sections 459.602, 459.603,



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18 1 459.604, 459A.502, and 459B.402 shall be deposited
18 2 into the watershed improvement fund created in section
18 3 466A.2.

18 4 Sec. 37. Section 459.401, subsection 2, paragraph
18 5 a, subparagraph (5), Code 2011, is amended by striking
18 6 the subparagraph.

18 7 Sec. 38. Section 459.602, Code 2011, is amended to
18 8 read as follows:

18 9 459.602 Air quality violations ==== civil penalty.

18 10 A person who violates subchapter II shall be
18 11 subject to a civil penalty which shall be established,
18 12 assessed, and collected in the same manner as provided
18 13 in section 455B.109. Any civil penalty collected shall
18 14 be deposited in the animal agriculture compliance

~~18 15 fund created in section 459.401 into the watershed~~
18 16 improvement fund created in section 466A.2.

18 17 Sec. 39. Section 459.603, Code 2011, is amended to
18 18 read as follows:

18 19 459.603 Water quality violations ==== civil penalty.

18 20 A person who violates subchapter III shall be
18 21 subject to a civil penalty which shall be established,
18 22 assessed, and collected in the same manner as provided
18 23 in section 455B.109 or 455B.191. Any civil penalty
18 24 collected shall be deposited in the animal agriculture

~~18 25 compliance fund created in section 459.401 into the~~
18 26 watershed improvement fund created in section 466A.2.

18 27 Sec. 40. Section 459.604, subsection 2, Code 2011,
18 28 is amended to read as follows:

18 29 2. Moneys assessed and collected in civil penalties
18 30 and interest earned on civil penalties, arising out
18 31 of a violation involving an animal feeding operation,
18 32 shall be deposited in the animal agriculture compliance
~~18 33 fund as created in section 459.401 into the watershed~~
18 34 improvement fund created in section 466A.2.

18 35 Sec. 41. Section 459A.502, Code 2011, is amended to
18 36 read as follows:

18 37 459A.502 Violations ==== civil penalty.

18 38 A person who violates this chapter shall be subject
18 39 to a civil penalty which shall be established,
18 40 assessed, and collected in the same manner as provided
18 41 in section 455B.191. Any civil penalty collected and
18 42 interest on a civil penalty shall be deposited in the
~~18 43 animal agriculture compliance fund created in section~~
~~18 44 459.401 into the watershed improvement fund created in~~
18 45 section 466A.2. A person shall not be subject to a
18 46 penalty under this section and a penalty under section
18 47 459.603 for the same violation.

18 48 Sec. 42. Section 459B.402, Code 2011, is amended to
18 49 read as follows:

18 50 459B.402 Violations ==== civil penalty.



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19 1 A person who violates section 459B.301 shall be
19 2 subject to the same penalty as provided in section
19 3 459.602, and a person who violates any other provision
19 4 of this chapter shall be subject to the same penalty
19 5 as provided in section 459.603. Any civil penalty
19 6 collected shall be deposited ~~in the animal agriculture~~
~~19 7 compliance fund created in section 459.401 into the~~
19 8 watershed improvement fund created in section 466A.2.
19 9 Sec. 43. Section 466A.2, subsection 1, Code 2011,
19 10 is amended to read as follows:
19 11 1. a. A watershed improvement fund is created in
19 12 the state treasury which shall be administered by the
19 13 treasurer of state ~~upon direction~~ under the supervision
19 14 of the watershed improvement review board. Moneys in
19 15 the fund are appropriated to the treasurer of state for
19 16 expenditure as authorized by the board to carry out the
19 17 purposes of this chapter.
19 18 b. The fund shall include a general account and
19 19 special account.
19 20 (1) ~~Moneys~~ Other than as provided in subparagraph
19 21 (2), the general account shall include all moneys
19 22 appropriated to the fund and any other moneys available
19 23 to and obtained or accepted by the treasurer of state
19 24 for placement in the fund shall be deposited in the
19 25 fund. Additionally, payments of interest, recaptures
19 26 of awards, and other repayments to the ~~fund~~ account
19 27 shall be deposited in the ~~fund~~ account.
19 28 (2) The special account shall exclusively include
19 29 moneys assessed and collected by or on behalf of
19 30 the department of natural resources as provided in
19 31 sections 455B.109, 459.602, 459.603, 459.604, 459A.502,
19 32 and 459B.402. Additionally, payments of interest,
19 33 recaptures of awards, and other repayments to the
19 34 account shall be deposited in the account.
19 35 c. Notwithstanding section 12C.7, subsection 2,
19 36 interest or earnings on moneys in ~~the fund~~ an account
19 37 of the fund that shall be credited to ~~the fund~~ that
19 38 account.
19 39 d. Notwithstanding section 8.33, moneys in the fund
19 40 that remain unencumbered or unobligated at the end of
19 41 the fiscal year shall not revert, but shall remain
19 42 available for the same purpose in the succeeding fiscal
19 43 year.
19 44 e. ~~The moneys~~ Moneys in the ~~fund~~ general account of
19 45 the fund shall be used exclusively for carrying out the
19 46 purposes of ~~the fund as provided in this section this~~
19 47 chapter. Moneys in the special account of the fund
19 48 shall be used exclusively by the board for purposes
19 49 of awarding local watershed improvement grants and
19 50 monitoring the progress of local watershed improvement



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20 1 projects awarded grants as provided in section 466A.3.

20 2 ~~f. Moneys appropriated to the treasurer of state~~

~~20 3 and deposited in the fund shall not be used by the~~

20 4 treasurer of state for its administrative purposes.

20 5 Sec. 44. Section 466A.3, subsection 4, unnumbered

20 6 paragraph 1, Code 2011, is amended to read as follows:

20 7 The watershed improvement review board shall carry

20 8 out the purposes of this chapter as provided in section

20 9 466A.2, including by determining how moneys are to

20 10 be expended from the watershed improvement fund and

20 11 authorizing the expenditure of moneys from the fund.

20 12 In carrying out those purposes, the board shall do all

20 13 of the following:

20 14 Sec. 45. Section 466A.3, subsection 4, paragraph a,

20 15 Code 2011, is amended to read as follows:

20 16 a. Award local watershed improvement grants and

20 17 monitor the progress of local watershed improvement

20 18 projects awarded grants.

20 19 (1) A local watershed improvement grant may be

20 20 awarded for an original period not to exceed five

20 21 years. However, during those five years, the board

20 22 may extend the period of the award for up to five

20 23 additional years after the date that the original

20 24 period would have ended.

20 25 (2) Each local watershed improvement grant awarded

20 26 shall not exceed ten percent of the moneys appropriated

20 27 for the grants during a fiscal year.

20 28 (3) Moneys deposited into the fund's special

20 29 account shall be used exclusively for awarding local

20 30 watershed improvement grants and monitoring the

20 31 progress of local watershed improvement projects

20 32 awarded grants as provided in this paragraph "a".

20 33 However, any other moneys may also be used for awarding

20 34 grants and monitoring the progress of projects.

20 35 Sec. 46. Section 466A.5, Code 2011, is amended to

20 36 read as follows:

20 37 466A.5 Administration.

20 38 The soil conservation division of the department

20 39 of agriculture and land stewardship shall provide

20 40 administrative support to the board. Not more than one

20 41 percent of the total moneys deposited in the general

20 42 account of the watershed improvement fund on July 1 of

20 43 a fiscal year or fifty thousand dollars, whichever is

20 44 less, is appropriated each fiscal year to the division

20 45 for the purposes of assisting the watershed improvement

20 46 review board in administering this chapter.

20 47 DIVISION XV

20 48 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

20 49 GENERAL APPROPRIATIONS FOR FY 2012=2013

20 50 Sec. 47. GENERAL FUND ==== DEPARTMENT.



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21 1 1. There is appropriated from the general fund of
21 2 the state to the department of agriculture and land
21 3 stewardship for the fiscal year beginning July 1, 2012,
21 4 and ending June 30, 2013, the following amount, or
21 5 so much thereof as is necessary, to be used for the
21 6 purposes designated:
21 7 For purposes of supporting the department, including
21 8 its divisions, for administration, regulation, and
21 9 programs; for salaries, support, maintenance, and
21 10 miscellaneous purposes; and for not more than the
21 11 following full-time equivalent positions:
21 12 \$ 8,343,252
21 13 FTEs 347.00
21 14 2. The department shall submit a report each
21 15 quarter of the fiscal year to the legislative services
21 16 agency, the department of management, the members of
21 17 the joint appropriations subcommittee on agriculture
21 18 and natural resources, and the chairpersons and
21 19 ranking members of the senate and house committees on
21 20 appropriations. The report shall describe in detail
21 21 the expenditure of moneys appropriated in this section
21 22 to support the department's administration, regulation,
21 23 and programs.
21 24 3. Of the amount appropriated in this section,
21 25 \$119,000 is transferred to Iowa state university of
21 26 science and technology, to be used for the university's
21 27 midwest grape and wine industry institute.
21 28 DESIGNATED APPROPRIATIONS ==== ANIMAL HUSBANDRY
21 29 Sec. 48. UNCLAIMED PARI-MUTUEL WAGERING WINNINGS ====
21 30 HORSE AND DOG RACING. There is appropriated from the
21 31 moneys available under section 99D.13 to the department
21 32 of agriculture and land stewardship for the fiscal year
21 33 beginning July 1, 2012, and ending June 30, 2013, the
21 34 following amount, or so much thereof as is necessary,
21 35 to be used for the purposes designated:
21 36 For purposes of supporting the department's
21 37 administration and enforcement of horse and dog racing
21 38 law pursuant to section 99D.22, including for salaries,
21 39 support, maintenance, and miscellaneous purposes:
21 40 \$ 152,758
21 41 DESIGNATED APPROPRIATIONS ==== MOTOR FUEL
21 42 Sec. 49. RENEWABLE FUEL INFRASTRUCTURE FUND ====
21 43 MOTOR FUEL INSPECTION. There is appropriated from
21 44 the renewable fuel infrastructure fund created in
21 45 section 15G.205 to the department of agriculture and
21 46 land stewardship for the fiscal year beginning July 1,
21 47 2012, and ending June 30, 2013, the following amount,
21 48 or so much thereof as is necessary, to be used for the
21 49 purposes designated:
21 50 For purposes of the inspection of motor fuel,



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22 1 including salaries, support, maintenance, and
22 2 miscellaneous purposes:
22 3 \$ 250,000
22 4 The department shall establish and administer
22 5 programs for the auditing of motor fuel including
22 6 biofuel processing and production plants, for screening
22 7 and testing motor fuel, including renewable fuel,
22 8 and for the inspection of motor fuel sold by dealers
22 9 including retail dealers who sell and dispense motor
22 10 fuel from motor fuel pumps.
22 11 DESIGNATED APPROPRIATIONS ==== LOCAL FOOD AND FARM
22 12 COORDINATOR
22 13 Sec. 50. APPROPRIATION ==== DEPARTMENT OF AGRICULTURE
22 14 AND LAND STEWARDSHIP ==== LOCAL FOOD AND FARM PROGRAM
22 15 COORDINATOR.
22 16 1. There is appropriated from the general fund of
22 17 the state to the department of agriculture and land
22 18 stewardship for the fiscal year beginning July 1, 2012,
22 19 and ending June 30, 2013, the following amount, or
22 20 so much thereof as is necessary, to be used for the
22 21 purposes designated:
22 22 For purposes of supporting a local food and farm
22 23 program coordinator as provided in chapter 267A,
22 24 as enacted by this Act, for salaries, support,
22 25 maintenance, and miscellaneous purposes, and for not
22 26 more than the following full-time equivalent positions:
22 27 \$ 37,500
22 28 FTEs 1.00
22 29 2. The department shall enter into a cost-sharing
22 30 agreement with Iowa state university to support
22 31 the local food and farm program coordinator. The
22 32 coordinator shall be stationed at Iowa state university
22 33 as provided in chapter 267A, as enacted by this Act.
22 34 DESIGNATED APPROPRIATIONS ==== AGRICULTURAL EDUCATION
22 35 Sec. 51. AGRICULTURAL EDUCATION. There is
22 36 appropriated from the general fund of the state to the
22 37 department of agriculture and land stewardship for the
22 38 fiscal year beginning July 1, 2012, and ending June 30,
22 39 2013, the following amount, or so much thereof as is
22 40 necessary, to be used for the purposes designated:
22 41 For purposes of allocating moneys to an Iowa
22 42 association affiliated with a national organization
22 43 which promotes agricultural education providing for
22 44 future farmers:
22 45 \$ 12,500
22 46 DIVISION XVI
22 47 DEPARTMENT OF NATURAL RESOURCES
22 48 GENERAL APPROPRIATIONS FOR FY 2012=2013
22 49 Sec. 52. GENERAL FUND ==== DEPARTMENT.
22 50 1. There is appropriated from the general fund of



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23 1 the state to the department of natural resources for
23 2 the fiscal year beginning July 1, 2012, and ending June
23 3 30, 2013, the following amount, or so much thereof as
23 4 is necessary, to be used for the purposes designated:
23 5 For purposes of supporting the department, including
23 6 its divisions, for administration, regulation, and
23 7 programs; for salaries, support, maintenance, and
23 8 miscellaneous purposes; and for not more than the
23 9 following full-time equivalent positions:
23 10 \$ 6,145,844
23 11 FTEs 1,145.95
23 12 2. Of the number of full-time equivalent positions
23 13 authorized to the department pursuant to subsection 1,
23 14 50.00 full-time equivalent positions shall be allocated
23 15 by the department for seasonal employees for purposes
23 16 of providing maintenance, upkeep, and sanitary services
23 17 at state parks.
23 18 3. The department shall submit a report each
23 19 quarter of the fiscal year to the legislative services
23 20 agency, the department of management, the members of
23 21 the joint appropriations subcommittee on agriculture
23 22 and natural resources, and the chairpersons and
23 23 ranking members of the senate and house committees on
23 24 appropriations. The report shall describe in detail
23 25 the expenditure of moneys appropriated under this
23 26 section to support the department's administration,
23 27 regulation, and programs.
23 28 Sec. 53. STATE FISH AND GAME PROTECTION FUND ====

23 29 DIVISION OF FISH AND WILDLIFE.

23 30 1. There is appropriated from the state fish and
23 31 game protection fund to the department of natural
23 32 resources for the fiscal year beginning July 1, 2012,
23 33 and ending June 30, 2013, the following amount, or
23 34 so much thereof as is necessary, to be used for the
23 35 purposes designated:
23 36 For purposes of supporting the division of fish and
23 37 wildlife, including for administration, regulation,
23 38 and programs; and for salaries, support, maintenance,
23 39 equipment, and miscellaneous purposes:
23 40 \$ 19,396,577
23 41 2. Notwithstanding section 455A.10, the department
23 42 may use the unappropriated balance remaining in the
23 43 state fish and game protection fund to provide for the
23 44 funding of health and life insurance premium payments
23 45 from unused sick leave balances of conservation peace
23 46 officers employed in a protection occupation who
23 47 retire, pursuant to section 97B.49B.
23 48 3. Notwithstanding section 455A.10, the department
23 49 of natural resources may use the unappropriated
23 50 balance remaining in the state fish and game protection



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24 1 fund for the fiscal year beginning July 1, 2012,
24 2 and ending June 30, 2013, as is necessary to fund
24 3 salary adjustments for departmental employees which
24 4 the general assembly has made an operating budget
24 5 appropriation for in subsection 1.
24 6 Sec. 54. GROUNDWATER PROTECTION FUND ==== WATER
24 7 QUALITY. There is appropriated from the groundwater
24 8 protection fund created in section 455E.11 to the
24 9 department of natural resources for the fiscal year
24 10 beginning July 1, 2012, and ending June 30, 2013, from
24 11 those moneys which are not allocated pursuant to that
24 12 section, the following amount, or so much thereof as is
24 13 necessary, to be used for the purposes designated:
24 14 For purposes of supporting the department's
24 15 protection of the state's groundwater, including
24 16 for administration, regulation, and programs, and
24 17 for salaries, support, maintenance, equipment, and
24 18 miscellaneous purposes:
24 19 \$ 1,727,916
24 20 DESIGNATED APPROPRIATIONS ==== MISCELLANEOUS
24 21 Sec. 55. SPECIAL SNOWMOBILE FUND ==== SNOWMOBILE
24 22 PROGRAM. There is appropriated from the special
24 23 snowmobile fund created under section 321G.7 to the
24 24 department of natural resources for the fiscal year
24 25 beginning July 1, 2012, and ending June 30, 2013, the
24 26 following amount, or so much thereof as is necessary,
24 27 to be used for the purpose designated:
24 28 For purposes of administering and enforcing the
24 29 state snowmobile programs:
24 30 \$ 50,000
24 31 Sec. 56. UNASSIGNED REVENUE FUND ==== UNDERGROUND
24 32 STORAGE TANK SECTION EXPENSES. There is appropriated
24 33 from the unassigned revenue fund administered by the
24 34 Iowa comprehensive underground storage tank fund
24 35 board to the department of natural resources for the
24 36 fiscal year beginning July 1, 2012, and ending June 30,
24 37 2013, the following amount, or so much thereof as is
24 38 necessary, to be used for the purpose designated:
24 39 For purposes of paying for administration expenses
24 40 of the department's underground storage tank section:
24 41 \$ 100,000
24 42 Sec. 57. STORM WATER DISCHARGE PERMIT FEES ====
24 43 SUPPORT FOR SPECIAL PURPOSES. Notwithstanding any
24 44 contrary provision of state law, for the fiscal year
24 45 beginning July 1, 2012, and ending June 30, 2013, the
24 46 department of natural resources may use additional
24 47 moneys available to the department collected from
24 48 storm water discharge permit fees as provided in
24 49 sections 455B.103A and 455B.197 for the staffing of the
24 50 following additional full-time equivalent positions for



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25 1 the purposes designated:
25 2 1. For purposes of reducing the department's
25 3 floodplain permit backlog:
25 4 FTEs 2.00
25 5 2. For purposes of implementing the federal total
25 6 maximum daily load program:
25 7 FTEs 2.00
25 8
25 9 DIVISION XVII
25 10 IOWA STATE UNIVERSITY
25 11 APPROPRIATION FOR FY 2012=2013
25 12 Sec. 58. GENERAL FUND ==== VETERINARY DIAGNOSTIC
25 13 LABORATORY.
25 14 1. There is appropriated from the general fund
25 15 of the state to Iowa state university of science and
25 16 technology for the fiscal year beginning July 1, 2012,
25 17 and ending June 30, 2013, the following amount, or
25 18 so much thereof as is necessary, to be used for the
25 19 purposes designated:
25 20 For purposes of supporting the college of veterinary
25 21 medicine for the operation of the veterinary diagnostic
25 22 laboratory and for not more than the following
25 23 full-time equivalent positions:
25 24 \$ 1,618,818
25 25 FTEs 50.00
25 26 2. a. Iowa state university of science and
25 27 technology shall not reduce the amount that it
25 28 allocates to support the college of veterinary medicine
25 29 from any other source due to the appropriation made in
25 30 this section.
25 31 b. Paragraph "a" does not apply to a reduction made
25 32 to support the college of veterinary medicine, if the
25 33 same percentage of reduction imposed on the college
25 34 of veterinary medicine is also imposed on all of Iowa
25 35 state university's budget units.
25 36 3. If by June 30, 2013, Iowa state university
25 37 of science and technology fails to allocate the
25 38 moneys appropriated in this section to the college of
25 39 veterinary medicine in accordance with this section,
25 40 the moneys appropriated in this section for that fiscal
25 41 year shall revert to the general fund of the state.
25 42 Sec. 59. VETERINARY DIAGNOSTIC LABORATORY ====
25 43 FUTURE YEAR. This section applies if appropriations
25 44 made in this Act and all other Acts enacted by the
25 45 Eighty-fourth General Assembly during the 2012 regular
25 46 session and all extraordinary sessions, for the
25 47 fiscal year beginning July 1, 2012, and ending June
25 48 30, 2013, for purposes of supporting the operation
25 49 of the veterinary diagnostic laboratory associated
25 50 with the college of veterinary medicine at Iowa state
university, total less than \$4,000,000. It is the



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26 1 intent of the general assembly that the amount of any
26 2 deficit will be appropriated by the general assembly
26 3 during its 2013 regular session for purposes of
26 4 supporting the operation of the veterinary diagnostic
26 5 laboratory for the fiscal year beginning July 1, 2013,
26 6 and ending June 30, 2014.

26 7 DIVISION XVIII
26 8 ENVIRONMENT FIRST FUND
26 9 GENERAL APPROPRIATIONS FOR FY 2012=2013

26 10 Sec. 60. DEPARTMENT OF AGRICULTURE AND LAND
26 11 STEWARDSHIP. There is appropriated from the
26 12 environment first fund created in section 8.57A to the
26 13 department of agriculture and land stewardship for the
26 14 fiscal year beginning July 1, 2012, and ending June 30,
26 15 2013, the following amounts, or so much thereof as is
26 16 necessary, to be used for the purposes designated:

26 17 1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)
26 18 a. For the conservation reserve enhancement program
26 19 to restore and construct wetlands for the purposes of
26 20 intercepting tile line runoff, reducing nutrient loss,
26 21 improving water quality, and enhancing agricultural
26 22 production practices:

26 23 \$ 500,000

26 24 b. Not more than 10 percent of the moneys
26 25 appropriated in paragraph "a" may be used for costs of
26 26 administration and implementation of soil and water
26 27 conservation practices.

26 28 c. Notwithstanding any other provision in law,
26 29 the department may provide state resources from this
26 30 appropriation, in combination with other appropriate
26 31 environment first fund appropriations, for cost sharing
26 32 to match United States department of agriculture,
26 33 natural resources conservation service, wetlands
26 34 reserve enhancement program (WREP) funding available
26 35 to Iowa.

26 36 2. WATERSHED PROTECTION

26 37 a. For continuation of a program that provides
26 38 multiobjective resource protections for flood control,
26 39 water quality, erosion control, and natural resource
26 40 conservation:

26 41 \$ 450,000

26 42 b. Not more than 10 percent of the moneys
26 43 appropriated in paragraph "a" may be used for costs of
26 44 administration and implementation of soil and water
26 45 conservation practices.

26 46 3. FARM MANAGEMENT DEMONSTRATION PROGRAM

26 47 a. For continuation of a statewide voluntary farm
26 48 management demonstration program to demonstrate the
26 49 effectiveness and adaptability of emerging practices in
26 50 agronomy that protect water resources and provide other



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27 1 environmental benefits:
27 2 \$ 262,500
27 3 b. Not more than 10 percent of the moneys
27 4 appropriated in paragraph "a" may be used for costs of
27 5 administration and implementation of soil and water
27 6 conservation practices.
27 7 c. The department of agriculture and land
27 8 stewardship shall allocate an amount of moneys
27 9 appropriated in paragraph "a" to an organization
27 10 representing soybean growers for purposes of supporting
27 11 an agriculture and environment performance program in
27 12 order to carry out the purposes of this subsection as
27 13 specified in paragraph "a". The amount of the moneys
27 14 allocated shall be determined by the secretary of
27 15 agriculture.
27 16 4. SOIL AND WATER CONSERVATION ==== ADMINISTRATION
27 17 For use by the department for costs of
27 18 administration and implementation of soil and water
27 19 conservation practices:
27 20 \$ 1,000,000
27 21 5. CONSERVATION RESERVE PROGRAM (CRP)
27 22 a. To encourage and assist farmers in enrolling
27 23 in and the implementation of the federal conservation
27 24 reserve program and to work with them to enhance their
27 25 revegetation efforts to improve water quality and
27 26 habitat:
27 27 \$ 500,000
27 28 b. Not more than 10 percent of the moneys
27 29 appropriated in paragraph "a" may be used for costs of
27 30 administration and implementation of soil and water
27 31 conservation practices.
27 32 6. SOIL AND WATER CONSERVATION
27 33 a. For use by the department in providing for soil
27 34 and water conservation administration, the conservation
27 35 of soil and water resources, or the support of soil and
27 36 water conservation district commissioners:
27 37 \$ 3,150,000
27 38 b. Not more than 5 percent of the moneys
27 39 appropriated in paragraph "a" may be allocated for
27 40 cost sharing to address complaints filed under section
27 41 161A.47.
27 42 c. Of the moneys appropriated in paragraph "a",
27 43 5 percent shall be allocated for financial incentives
27 44 to establish practices to protect watersheds above
27 45 publicly owned lakes of the state from soil erosion and
27 46 sediment as provided in section 161A.73.
27 47 d. Not more than 30 percent of a soil and water
27 48 conservation district's allocation of moneys as
27 49 financial incentives may be provided for the purpose
27 50 of establishing management practices to control soil



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28 1 erosion on land that is row cropped, including but
28 2 not limited to no=till planting, ridge=till planting,
28 3 contouring, and contour strip=cropping as provided in
28 4 section 161A.73.
28 5 e. The state soil conservation committee
28 6 established by section 161A.4 may allocate moneys
28 7 appropriated in paragraph "a" to conduct research and
28 8 demonstration projects to promote conservation tillage
28 9 and nonpoint source pollution control practices.
28 10 f. The allocation of moneys as financial incentives
28 11 as provided in section 161A.73 may be used in
28 12 combination with moneys allocated by the department of
28 13 natural resources.
28 14 g. Not more than 15 percent of the moneys
28 15 appropriated in paragraph "a" may be used for costs of
28 16 administration and implementation of soil and water
28 17 conservation practices.
28 18 h. In lieu of moneys appropriated in section
28 19 466A.5, not more than \$50,000 of the moneys
28 20 appropriated in paragraph "a" shall be used by the soil
28 21 conservation division of the department of agriculture
28 22 and land stewardship to provide administrative support
28 23 to the watershed improvement review board established
28 24 in section 466A.3.
28 25 Sec. 61. DEPARTMENT OF NATURAL RESOURCES. There is
28 26 appropriated from the environment first fund created in
28 27 section 8.57A to the department of natural resources
28 28 for the fiscal year beginning July 1, 2012, and ending
28 29 June 30, 2013, the following amounts, or so much
28 30 thereof as is necessary, to be used for the purposes
28 31 designated:
28 32 1. KEEPERS OF THE LAND
28 33 For statewide coordination of volunteer efforts
28 34 under the water quality and keepers of the land
28 35 programs:
28 36 \$ 50,000
28 37 2. STATE PARKS MAINTENANCE AND OPERATIONS
28 38 For regular maintenance of state parks and staff
28 39 time associated with these activities:
28 40 \$ 1,705,000
28 41 3. FORESTRY HEALTH MANAGEMENT
28 42 To provide for forestry health management programs:
28 43 \$ 50,000
28 44 4. GEOGRAPHIC INFORMATION SYSTEM (GIS)
28 45 To provide local watershed managers with geographic
28 46 information system data for their use in developing,
28 47 monitoring, and displaying results of their watershed
28 48 work:
28 49 \$ 97,500
28 50 5. WATER QUALITY MONITORING



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29 1 For continuing the establishment and operation of
29 2 water quality monitoring stations:
29 3 \$ 1,477,500
29 4 6. PUBLIC WATER SUPPLY SYSTEM ACCOUNT
29 5 For deposit in the public water supply system
29 6 account of the water quality protection fund created
29 7 in section 455B.183A:
29 8 \$ 250,000
29 9 7. REGULATION OF ANIMAL FEEDING OPERATIONS
29 10 For the regulation of animal feeding operations,
29 11 including as provided for in chapters 459 through 459B:
29 12 \$ 260,000
29 13 8. AMBIENT AIR QUALITY
29 14 For the abatement, control, and prevention of
29 15 ambient air pollution in this state, including measures
29 16 as necessary to assure attainment and maintenance of
29 17 ambient air quality standards from particulate matter:
29 18 \$ 212,500
29 19 9. WATER QUANTITY REGULATION
29 20 For regulating water quantity from surface and
29 21 subsurface sources by providing for the allocation and
29 22 use of water resources, the protection and management
29 23 of water resources, and the preclusion of conflicts
29 24 among users of water resources, including as provided
29 25 in chapter 455B, division III, part 4:
29 26 \$ 247,500
29 27 10. GEOLOGICAL AND WATER SURVEY
29 28 For continuing the operations of the department's
29 29 geological and water survey including but not limited
29 30 to providing analysis, data collection, investigative
29 31 programs, and information for water supply development
29 32 and protection:
29 33 \$ 100,000
29 34 Sec. 62. REVERSION. Notwithstanding section 8.33,
29 35 moneys appropriated for the fiscal year beginning
29 36 July 1, 2012, in this division of this Act that remain
29 37 unencumbered or unobligated at the close of the fiscal
29 38 year shall not revert but shall remain available to
29 39 be used for the purposes designated until the close
29 40 of the fiscal year beginning July 1, 2013, or until
29 41 the project for which the appropriation was made is
29 42 completed, whichever is earlier.
29 43 DIVISION XIX
29 44 RESOURCES ENHANCEMENT AND PROTECTION
29 45 (REAP) FUND FOR FY 2012=2013
29 46 GENERAL APPROPRIATIONS
29 47 Sec. 63. ENVIRONMENT FIRST FUND. Notwithstanding
29 48 the amount of the standing appropriation from the
29 49 general fund of the state to the Iowa resources
29 50 enhancement and protection fund as provided in section



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30 1 455A.18, there is appropriated from the environment
30 2 first fund created in section 8.57A to the Iowa
30 3 resources enhancement and protection fund, in lieu of
30 4 the appropriation made in section 455A.18, for the
30 5 fiscal year beginning July 1, 2012, and ending June 30,
30 6 2013, the following amount, to be allocated as provided
30 7 in section 455A.19:
30 8 \$ 15,000,000
30 9
30 10 DIVISION XX
30 11 CONDITIONAL RETROACTIVE APPLICABILITY
30 12 Sec. 64. EFFECTIVE DATE AND RETROACTIVE
30 13 APPLICABILITY. Unless otherwise provided, this Act,
30 14 if approved by the governor on or after July 1, 2011,
30 15 takes effect upon enactment and applies retroactively
30 16 to July 1, 2011.>
30 17 #2. Title page, line 4, after <effective date> by
30 18 inserting <and retroactive and other applicability>
30 19 #3. By renumbering as necessary.>
30 20 S3227.3367.S (4) 84
30 21 jh



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PAG LIN

1 1 Amend the amendment, S=3233, to Senate File 510, as
1 2 passed by the Senate, as follows:
1 3 #1. By striking page 1, line 7, through page 28,
1 4 line 10, and inserting:
1 5 <Section 1. DEPARTMENT OF JUSTICE.
1 6 1. There is appropriated from the general fund
1 7 of the state to the department of justice for the
1 8 fiscal year beginning July 1, 2011, and ending June 30,
1 9 2012, the following amounts, or so much thereof as is
1 10 necessary, to be used for the purposes designated:
1 11 a. For the general office of attorney general for
1 12 salaries, support, maintenance, and miscellaneous
1 13 purposes, including the prosecuting attorneys training
1 14 program, matching funds for federal violence against
1 15 women grant programs, victim assistance grants, office
1 16 of drug control policy prosecuting attorney program,
1 17 and odometer fraud enforcement, and for not more than
1 18 the following full-time equivalent positions:
1 19 \$ 7,942,930
1 20 FTEs 212.00
1 21 It is the intent of the general assembly that as
1 22 a condition of receiving the appropriation provided
1 23 in this lettered paragraph, the department of justice
1 24 shall maintain a record of the estimated time incurred
1 25 representing each agency or department.
1 26 b. For victim assistance grants:
1 27 \$ 2,876,400
1 28 The funds appropriated in this lettered paragraph
1 29 shall be used to provide grants to care providers
1 30 providing services to crime victims of domestic abuse
1 31 or to crime victims of rape and sexual assault.
1 32 The balance of the victim compensation fund
1 33 established in section 915.94 may be used to provide
1 34 salary and support of not more than 24 FTEs and
1 35 to provide maintenance for the victim compensation
1 36 functions of the department of justice.
1 37 The department of justice shall transfer at least
1 38 \$150,000 from the victim compensation fund established
1 39 in section 915.94 to the victim assistance grant
1 40 program.
1 41 c. For legal services for persons in poverty grants
1 42 as provided in section 13.34:
1 43 \$ 1,814,831
1 44 2. a. The department of justice, in submitting
1 45 budget estimates for the fiscal year commencing July
1 46 1, 2012, pursuant to section 8.23, shall include a
1 47 report of funding from sources other than amounts
1 48 appropriated directly from the general fund of the
1 49 state to the department of justice or to the office of
1 50 consumer advocate. These funding sources shall include



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2 1 but are not limited to reimbursements from other state
2 2 agencies, commissions, boards, or similar entities, and
2 3 reimbursements from special funds or internal accounts
2 4 within the department of justice. The department of
2 5 justice shall also report actual reimbursements for the
2 6 fiscal year commencing July 1, 2010, and actual and
2 7 expected reimbursements for the fiscal year commencing
2 8 July 1, 2011.

2 9 b. The department of justice shall include the
2 10 report required under paragraph "a", as well as
2 11 information regarding any revisions occurring as a
2 12 result of reimbursements actually received or expected
2 13 at a later date, in a report to the co=chairpersons
2 14 and ranking members of the joint appropriations
2 15 subcommittee on the justice system and the legislative
2 16 services agency. The department of justice shall
2 17 submit the report on or before January 15, 2012.

2 18 Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is
2 19 appropriated from the department of commerce revolving
2 20 fund created in section 546.12 to the office of
2 21 consumer advocate of the department of justice for the
2 22 fiscal year beginning July 1, 2011, and ending June 30,
2 23 2012, the following amount, or so much thereof as is
2 24 necessary, to be used for the purposes designated:

2 25 For salaries, support, maintenance, miscellaneous
2 26 purposes, and for not more than the following full=time
2 27 equivalent positions:

2 28	\$ 3,336,344
2 29 FTEs	22.00

2 30 Sec. 3. DEPARTMENT OF CORRECTIONS ==== FACILITIES.

2 31 1. There is appropriated from the general fund of
2 32 the state to the department of corrections for the
2 33 fiscal year beginning July 1, 2011, and ending June
2 34 30, 2012, the following amounts, or so much thereof as
2 35 is necessary, to be used for the operation of adult
2 36 correctional institutions, reimbursement of counties
2 37 for certain confinement costs, and federal prison
2 38 reimbursement, to be allocated as follows:

2 39 a. For the operation of the Fort Madison
2 40 correctional facility, including salaries, support,
2 41 maintenance, and miscellaneous purposes:

2 42	\$ 41,188,445
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2 43 b. For the operation of the Anamosa correctional
2 44 facility, including salaries, support, maintenance, and
2 45 miscellaneous purposes:

2 46	\$ 31,985,974
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2 47 c. For the operation of the Oakdale correctional
2 48 facility, including salaries, support, maintenance, and
2 49 miscellaneous purposes:

2 50	\$ 55,594,426
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3 1 d. For the operation of the Newton correctional
3 2 facility, including salaries, support, maintenance, and
3 3 miscellaneous purposes:
3 4 \$ 25,958,757
3 5 e. For the operation of the Mt. Pleasant
3 6 correctional facility, including salaries, support,
3 7 maintenance, and miscellaneous purposes:
3 8 \$ 25,917,815
3 9 f. For the operation of the Rockwell City
3 10 correctional facility, including salaries, support,
3 11 maintenance, and miscellaneous purposes:
3 12 \$ 9,316,466
3 13 g. For the operation of the Clarinda correctional
3 14 facility, including salaries, support, maintenance, and
3 15 miscellaneous purposes:
3 16 \$ 24,482,356
3 17 Moneys received by the department of corrections as
3 18 reimbursement for services provided to the Clarinda
3 19 youth corporation are appropriated to the department
3 20 and shall be used for the purpose of operating the
3 21 Clarinda correctional facility.
3 22 h. For the operation of the Mitchellville
3 23 correctional facility, including salaries, support,
3 24 maintenance, and miscellaneous purposes:
3 25 \$ 15,615,374
3 26 i. For the operation of the Fort Dodge correctional
3 27 facility, including salaries, support, maintenance, and
3 28 miscellaneous purposes:
3 29 \$ 29,062,235
3 30 j. For reimbursement of counties for temporary
3 31 confinement of work release and parole violators, as
3 32 provided in sections 901.7, 904.908, and 906.17, and
3 33 for offenders confined pursuant to section 904.513:
3 34 \$ 775,092
3 35 k. For federal prison reimbursement, reimbursements
3 36 for out-of-state placements, and miscellaneous
3 37 contracts:
3 38 \$ 239,411
3 39 2. The department of corrections shall use moneys
3 40 appropriated in subsection 1 to continue to contract
3 41 for the services of a Muslim imam and a Native American
3 42 spiritual leader.
3 43 Sec. 4. DEPARTMENT OF CORRECTIONS ====
3 44 ADMINISTRATION. There is appropriated from the general
3 45 fund of the state to the department of corrections for
3 46 the fiscal year beginning July 1, 2011, and ending June
3 47 30, 2012, the following amounts, or so much thereof as
3 48 is necessary, to be used for the purposes designated:
3 49 1. For general administration, including salaries,
3 50 support, maintenance, employment of an education



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4 1 director to administer a centralized education
4 2 program for the correctional system, and miscellaneous
4 3 purposes:
4 4 \$ 4,835,542
4 5 a. It is the intent of the general assembly
4 6 that as a condition of receiving the appropriation
4 7 provided in this lettered paragraph the department of
4 8 corrections shall not, except as otherwise provided
4 9 in paragraph "c", enter into a new contract, unless
4 10 the contract is a renewal of an existing contract,
4 11 for the expenditure of moneys in excess of \$100,000
4 12 during the fiscal year beginning July 1, 2011, for the
4 13 privatization of services performed by the department
4 14 using state employees as of July 1, 2011, or for the
4 15 privatization of new services by the department without
4 16 prior consultation with any applicable state employee
4 17 organization affected by the proposed new contract and
4 18 prior notification of the co-chairpersons and ranking
4 19 members of the joint appropriations subcommittee on the
4 20 justice system.
4 21 b. It is the intent of the general assembly
4 22 that each lease negotiated by the department of
4 23 corrections with a private corporation for the purpose
4 24 of providing private industry employment of inmates in
4 25 a correctional institution shall prohibit the private
4 26 corporation from utilizing inmate labor for partisan
4 27 political purposes for any person seeking election to
4 28 public office in this state and that a violation of
4 29 this requirement shall result in a termination of the
4 30 lease agreement.
4 31 c. It is the intent of the general assembly that as
4 32 a condition of receiving the appropriation provided in
4 33 this subsection the department of corrections shall not
4 34 enter into a lease or contractual agreement pursuant to
4 35 section 904.809 with a private corporation for the use
4 36 of building space for the purpose of providing inmate
4 37 employment without providing that the terms of the
4 38 lease or contract establish safeguards to restrict, to
4 39 the greatest extent feasible, access by inmates working
4 40 for the private corporation to personal identifying
4 41 information of citizens.
4 42 2. For educational programs for inmates at state
4 43 penal institutions:
4 44 \$ 2,308,109
4 45 a. As a condition of receiving the appropriation in
4 46 this subsection, the department of corrections shall
4 47 transfer at least \$300,000 from the canteen operating
4 48 funds established pursuant to section 904.310 to be
4 49 used for correctional educational programs funded in
4 50 this subsection.



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5 1 b. It is the intent of the general assembly that
5 2 moneys appropriated in this subsection shall be used
5 3 solely for the purpose indicated and that the moneys
5 4 shall not be transferred for any other purpose. In
5 5 addition, it is the intent of the general assembly
5 6 that the department shall consult with the community
5 7 colleges in the areas in which the institutions
5 8 are located to utilize moneys appropriated in this
5 9 subsection to fund the high school completion, high
5 10 school equivalency diploma, adult literacy, and adult
5 11 basic education programs in a manner so as to maintain
5 12 these programs at the institutions.

5 13 c. To maximize the funding for educational
5 14 programs, the department shall establish guidelines
5 15 and procedures to prioritize the availability of
5 16 educational and vocational training for inmates based
5 17 upon the goal of facilitating an inmate's successful
5 18 release from the correctional institution.

5 19 d. The director of the department of corrections
5 20 may transfer moneys from Iowa prison industries for use
5 21 in educational programs for inmates.

5 22 e. Notwithstanding section 8.33, moneys
5 23 appropriated in this subsection that remain unobligated
5 24 or unexpended at the close of the fiscal year shall not
5 25 revert but shall remain available to be used only for
5 26 the purposes designated in this subsection until the
5 27 close of the succeeding fiscal year.

5 28 3. For the development of the Iowa corrections
5 29 offender network (ICON) data system:

5 30 \$ 424,364

5 31 4. For offender mental health and substance abuse
5 32 treatment:

5 33 \$ 22,319

5 34 5. For viral hepatitis prevention and treatment:

5 35 \$ 167,881

5 36 6. It is the intent of the general assembly that
5 37 for the fiscal year addressed by this section the
5 38 department of corrections shall continue to operate the
5 39 correctional farms under the control of the department
5 40 at the same or greater level of participation and
5 41 involvement as existed as of January 1, 2011; shall not
5 42 enter into any rental agreement or contract concerning
5 43 any farmland under the control of the department that
5 44 is not subject to a rental agreement or contract as of
5 45 January 1, 2011, without prior legislative approval;
5 46 and shall further attempt to provide job opportunities
5 47 at the farms for inmates. The department shall attempt
5 48 to provide job opportunities at the farms for inmates
5 49 by encouraging labor-intensive farming or gardening
5 50 where appropriate; using inmates to grow produce



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6 1 and meat for institutional consumption; researching
6 2 the possibility of instituting food canning and
6 3 cook=and=chill operations; and exploring opportunities
6 4 for organic farming and gardening, livestock ventures,
6 5 horticulture, and specialized crops.
6 6 7. The department of corrections shall solicit
6 7 requests for information to improve efficiencies at the
6 8 pharmacy under the control of the department.
6 9 Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF
6 10 CORRECTIONAL SERVICES.
6 11 1. There is appropriated from the general fund of
6 12 the state to the department of corrections for the
6 13 fiscal year beginning July 1, 2011, and ending June
6 14 30, 2012, for salaries, support, maintenance, and
6 15 miscellaneous purposes, the following amounts, or
6 16 so much thereof as is necessary, to be allocated as
6 17 follows:
6 18 a. For the first judicial district department of
6 19 correctional services:
6 20 \$ 12,204,948
6 21 b. For the second judicial district department of
6 22 correctional services:
6 23 \$ 10,336,948
6 24 c. For the third judicial district department of
6 25 correctional services:
6 26 \$ 5,599,765
6 27 d. For the fourth judicial district department of
6 28 correctional services:
6 29 \$ 5,391,355
6 30 e. For the fifth judicial district department of
6 31 correctional services, including funding for electronic
6 32 monitoring devices for use on a statewide basis:
6 33 \$ 18,742,129
6 34 f. For the sixth judicial district department of
6 35 correctional services:
6 36 \$ 13,112,563
6 37 g. For the seventh judicial district department of
6 38 correctional services:
6 39 \$ 6,492,814
6 40 h. For the eighth judicial district department of
6 41 correctional services:
6 42 \$ 6,879,715
6 43 2. Each judicial district department of
6 44 correctional services, within the funding available,
6 45 shall continue programs and plans established within
6 46 that district to provide for intensive supervision, sex
6 47 offender treatment, diversion of low=risk offenders
6 48 to the least restrictive sanction available, job
6 49 development, and expanded use of intermediate criminal
6 50 sanctions.



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7 1 3. Each judicial district department of
7 2 correctional services shall provide alternatives to
7 3 prison consistent with chapter 901B. The alternatives
7 4 to prison shall ensure public safety while providing
7 5 maximum rehabilitation to the offender. A judicial
7 6 district department of correctional services may also
7 7 establish a day program.

7 8 4. The governor's office of drug control policy
7 9 or any succeeding entity of the governor's office of
7 10 drug control policy shall consider federal grants made
7 11 to the department of corrections for the benefit of
7 12 each of the eight judicial district departments of
7 13 correctional services as local government grants, as
7 14 defined pursuant to federal regulations.

7 15 5. The department of corrections shall continue
7 16 to contract with a judicial district department
7 17 of correctional services to provide for the rental
7 18 of electronic monitoring equipment which shall be
7 19 available statewide.

7 20 Sec. 6. DEPARTMENT OF CORRECTIONS ==== REALLOCATION
7 21 OF APPROPRIATIONS. Notwithstanding section 8.39,
7 22 within the moneys appropriated in this Act to the
7 23 department of corrections, the department may
7 24 reallocate the moneys appropriated and allocated as
7 25 necessary to best fulfill the needs of the correctional
7 26 institutions, administration of the department, and the
7 27 judicial district departments of correctional services.
7 28 However, in addition to complying with the requirements
7 29 of sections 904.116 and 905.8 and providing notice
7 30 to the legislative services agency, the department
7 31 of corrections shall also provide notice to the
7 32 department of management, prior to the effective date
7 33 of the revision or reallocation of an appropriation
7 34 made pursuant to this section. The department of
7 35 corrections shall not reallocate an appropriation or
7 36 allocation for the purpose of eliminating any program.

7 37 Sec. 7. INTENT ==== REPORTS.

7 38 1. The department of corrections in cooperation
7 39 with townships, the Iowa cemetery associations, and
7 40 other nonprofit or governmental entities may use inmate
7 41 labor during the fiscal year beginning July 1, 2011,
7 42 to restore or preserve rural cemeteries and historical
7 43 landmarks. The department in cooperation with the
7 44 counties may also use inmate labor to clean up roads,
7 45 major water sources, and other water sources around the
7 46 state.

7 47 2. On a quarterly basis the department shall
7 48 provide a status report regarding private=sector
7 49 employment to the legislative services agency beginning
7 50 on July 1, 2011. The report shall include the number



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8 1 of offenders employed in the private sector, the
8 2 combined number of hours worked by the offenders, the
8 3 total amount of allowances, and the distribution of
8 4 allowances pursuant to section 904.702, including any
8 5 moneys deposited in the general fund of the state.
8 6 Sec. 8. ELECTRONIC MONITORING REPORT. The
8 7 department of corrections shall submit a report on
8 8 electronic monitoring to the general assembly, to the
8 9 co=chairpersons and the ranking members of the joint
8 10 appropriations subcommittee on the justice system, and
8 11 to the legislative services agency by January 15, 2012.
8 12 The report shall specifically address the number of
8 13 persons being electronically monitored and break down
8 14 the number of persons being electronically monitored
8 15 by offense committed. The report shall also include a
8 16 comparison of any data from the prior fiscal year with
8 17 the current year.

8 18 Sec. 9. STATE AGENCY PURCHASES FROM PRISON
8 19 INDUSTRIES.

8 20 1. As used in this section, unless the context
8 21 otherwise requires, "state agency" means the government
8 22 of the state of Iowa, including but not limited to
8 23 all executive branch departments, agencies, boards,
8 24 bureaus, and commissions, the judicial branch,
8 25 the general assembly and all legislative agencies,
8 26 institutions within the purview of the state board of
8 27 regents, and any corporation whose primary function is
8 28 to act as an instrumentality of the state.

8 29 2. State agencies are hereby encouraged to purchase
8 30 products from Iowa state industries, as defined in
8 31 section 904.802, when purchases are required and the
8 32 products are available from Iowa state industries.
8 33 State agencies shall obtain bids from Iowa state
8 34 industries for purchases of office furniture during the
8 35 fiscal year beginning July 1, 2011, exceeding \$5,000
8 36 or in accordance with applicable administrative rules
8 37 related to purchases for the agency.

8 38 Sec. 10. IOWA LAW ENFORCEMENT ACADEMY.

8 39 1. There is appropriated from the general fund of
8 40 the state to the Iowa law enforcement academy for the
8 41 fiscal year beginning July 1, 2011, and ending June 30,
8 42 2012, the following amount, or so much thereof as is
8 43 necessary, to be used for the purposes designated:

8 44 For salaries, support, maintenance, miscellaneous
8 45 purposes, including jailer training and technical
8 46 assistance, and for not more than the following
8 47 full=time equivalent positions:

8 48	\$	868,698
8 49	FTEs	24.55

8 50 It is the intent of the general assembly that the



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9 1 Iowa law enforcement academy may provide training of
9 2 state and local law enforcement personnel concerning
9 3 the recognition of and response to persons with
9 4 Alzheimer's disease.

9 5 The Iowa law enforcement academy may temporarily
9 6 exceed and draw more than the amount appropriated in
9 7 this subsection and incur a negative cash balance as
9 8 long as there are receivables equal to or greater than
9 9 the negative balance and the amount appropriated in
9 10 this subsection is not exceeded at the close of the
9 11 fiscal year.

9 12 2. The Iowa law enforcement academy may select
9 13 at least five automobiles of the department of public
9 14 safety, division of state patrol, prior to turning over
9 15 the automobiles to the department of administrative
9 16 services to be disposed of by public auction, and
9 17 the Iowa law enforcement academy may exchange any
9 18 automobile owned by the academy for each automobile
9 19 selected if the selected automobile is used in training
9 20 law enforcement officers at the academy. However,
9 21 any automobile exchanged by the academy shall be
9 22 substituted for the selected vehicle of the department
9 23 of public safety and sold by public auction with the
9 24 receipts being deposited in the depreciation fund to
9 25 the credit of the department of public safety, division
9 26 of state patrol.

9 27 Sec. 11. STATE PUBLIC DEFENDER. There is
9 28 appropriated from the general fund of the state to the
9 29 office of the state public defender of the department
9 30 of inspections and appeals for the fiscal year
9 31 beginning July 1, 2011, and ending June 30, 2012, the
9 32 following amounts, or so much thereof as is necessary,
9 33 to be allocated as follows for the purposes designated:

9 34 1. For salaries, support, maintenance,
9 35 miscellaneous purposes, and for not more than the
9 36 following full-time equivalent positions:

9 37 \$ 24,083,182
9 38 FTEs 219.00

9 39 2. For the fees of court-appointed attorneys for
9 40 indigent adults and juveniles, in accordance with
9 41 section 232.141 and chapter 815:

9 42 \$ 31,680,929

9 43 Sec. 12. BOARD OF PAROLE. There is appropriated
9 44 from the general fund of the state to the board of
9 45 parole for the fiscal year beginning July 1, 2011, and
9 46 ending June 30, 2012, the following amount, or so much
9 47 thereof as is necessary, to be used for the purposes
9 48 designated:

9 49 For salaries, support, maintenance, miscellaneous
9 50 purposes, and for not more than the following full-time



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10 1 equivalent positions:
10 2 \$ 1,053,835
10 3 FTEs 12.50
10 4 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE. There is
10 5 appropriated from the general fund of the state to
10 6 the department of public defense for the fiscal year
10 7 beginning July 1, 2011, and ending June 30, 2012, the
10 8 following amounts, or so much thereof as is necessary,
10 9 to be used for the purposes designated:
10 10 1. MILITARY DIVISION
10 11 For salaries, support, maintenance, miscellaneous
10 12 purposes, and for not more than the following full-time
10 13 equivalent positions:
10 14 \$ 5,527,042
10 15 FTEs 313.00
10 16 The military division may temporarily exceed
10 17 and draw more than the amount appropriated in this
10 18 subsection and incur a negative cash balance as long
10 19 as there are receivables of federal funds equal to
10 20 or greater than the negative balance and the amount
10 21 appropriated in this subsection is not exceeded at the
10 22 close of the fiscal year.
10 23 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
10 24 DIVISION
10 25 For salaries, support, maintenance, miscellaneous
10 26 purposes, and for not more than the following full-time
10 27 equivalent positions:
10 28 \$ 1,836,877
10 29 FTEs 40.00
10 30 a. The homeland security and emergency management
10 31 division may temporarily exceed and draw more than the
10 32 amount appropriated in this subsection and incur a
10 33 negative cash balance as long as there are receivables
10 34 of federal funds equal to or greater than the negative
10 35 balance and the amount appropriated in this subsection
10 36 is not exceeded at the close of the fiscal year.
10 37 b. It is the intent of the general assembly that
10 38 the homeland security and emergency management division
10 39 work in conjunction with the department of public
10 40 safety, to the extent possible, when gathering and
10 41 analyzing information related to potential domestic
10 42 or foreign security threats, and when monitoring such
10 43 threats.
10 44 Sec. 14. DEPARTMENT OF PUBLIC SAFETY. There is
10 45 appropriated from the general fund of the state to
10 46 the department of public safety for the fiscal year
10 47 beginning July 1, 2011, and ending June 30, 2012, the
10 48 following amounts, or so much thereof as is necessary,
10 49 to be used for the purposes designated:
10 50 1. For the department's administrative functions,



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11 1 including the criminal justice information system, and
11 2 for not more than the following full-time equivalent
11 3 positions:
11 4 \$ 4,007,075
11 5 FTEs 36.00
11 6 2. For the division of criminal investigation,
11 7 including the state's contribution to the peace
11 8 officers' retirement, accident, and disability system
11 9 provided in chapter 97A in the amount of the state's
11 10 normal contribution rate, as defined in section
11 11 97A.8, multiplied by the salaries for which the
11 12 funds are appropriated, to meet federal fund matching
11 13 requirements, and for not more than the following
11 14 full-time equivalent positions:
11 15 \$ 12,533,931
11 16 FTEs 159.10
11 17 The department shall employ one additional special
11 18 agent and one additional criminalist for the purpose
11 19 of investigating cold cases. Prior to employing the
11 20 additional special agent and criminalist authorized
11 21 in this paragraph, the department shall provide a
11 22 written statement to prospective employees that states
11 23 to the effect that the positions are being funded by
11 24 a temporary federal grant and there are no assurances
11 25 that funds from other sources will be available after
11 26 the federal funding expires. If the federal funding
11 27 for the additional positions expires during the fiscal
11 28 year, the number of full-time equivalent positions
11 29 authorized in this subsection is reduced by 2.00 FTEs.
11 30 3. For the criminalistics laboratory fund created
11 31 in section 691.9:
11 32 \$ 302,345
11 33 4. a. For the division of narcotics enforcement,
11 34 including the state's contribution to the peace
11 35 officers' retirement, accident, and disability system
11 36 provided in chapter 97A in the amount of the state's
11 37 normal contribution rate, as defined in section
11 38 97A.8, multiplied by the salaries for which the
11 39 funds are appropriated, to meet federal fund matching
11 40 requirements, and for not more than the following
11 41 full-time equivalent positions:
11 42 \$ 6,353,345
11 43 FTEs 74.00
11 44 b. For the division of narcotics enforcement for
11 45 undercover purchases:
11 46 \$ 109,042
11 47 5. For the division of state fire marshal, for fire
11 48 protection services as provided through the state fire
11 49 service and emergency response council as created in
11 50 the department, and for the state's contribution to the



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12 1 peace officers' retirement, accident, and disability
12 2 system provided in chapter 97A in the amount of the
12 3 state's normal contribution rate, as defined in section
12 4 97A.8, multiplied by the salaries for which the funds
12 5 are appropriated, and for not more than the following
12 6 full-time equivalent positions:
12 7 \$ 4,298,707
12 8 FTEs 55.00
12 9 6. For the division of state patrol, for salaries,
12 10 support, maintenance, workers' compensation costs,
12 11 and miscellaneous purposes, including the state's
12 12 contribution to the peace officers' retirement,
12 13 accident, and disability system provided in chapter 97A
12 14 in the amount of the state's normal contribution rate,
12 15 as defined in section 97A.8, multiplied by the salaries
12 16 for which the funds are appropriated, and for not more
12 17 than the following full-time equivalent positions:
12 18 \$ 51,903,233
12 19 FTEs 513.00
12 20 It is the intent of the general assembly that
12 21 members of the state patrol be assigned to patrol
12 22 the highways and roads in lieu of assignments for
12 23 inspecting school buses for the school districts.
12 24 7. For deposit in the sick leave benefits fund
12 25 established under section 80.42 for all departmental
12 26 employees eligible to receive benefits for accrued sick
12 27 leave under the collective bargaining agreement:
12 28 \$ 279,517
12 29 8. For costs associated with the training and
12 30 equipment needs of volunteer fire fighters:
12 31 \$ 725,520
12 32 a. Notwithstanding section 8.33, moneys
12 33 appropriated in this subsection that remain
12 34 unencumbered or unobligated at the close of the fiscal
12 35 year shall not revert but shall remain available for
12 36 expenditure only for the purpose designated in this
12 37 subsection until the close of the succeeding fiscal
12 38 year.
12 39 b. Notwithstanding section 8.39, within the
12 40 moneys appropriated in this section, the department
12 41 of public safety may reallocate moneys as necessary
12 42 to best fulfill the needs provided for in the
12 43 appropriation. However, the department shall not
12 44 reallocate an appropriation made to the department
12 45 in this section unless notice of the reallocation
12 46 is given to the legislative services agency and
12 47 the department of management prior to the effective
12 48 date of the reallocation. The notice shall include
12 49 information regarding the rationale for reallocating
12 50 the appropriation. The department shall not reallocate



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13 1 an appropriation made in this section for the purpose
13 2 of eliminating any program.

13 3 Sec. 15. GAMING ENFORCEMENT.

13 4 1. There is appropriated from the gaming
13 5 enforcement revolving fund created in section 80.43 to
13 6 the department of public safety for the fiscal year
13 7 beginning July 1, 2011, and ending June 30, 2012, the
13 8 following amount, or so much thereof as is necessary,
13 9 to be used for the purposes designated:

13 10 For any direct and indirect support costs for

13 11 agents and officers of the division of criminal

13 12 investigation's excursion gambling boat, gambling

13 13 structure, and racetrack enclosure enforcement

13 14 activities, including salaries, support, maintenance,

13 15 miscellaneous purposes, and for not more than the

13 16 following full-time equivalent positions:

13 17 \$ 9,836,306

13 18 FTEs 120.00

13 19 2. For each additional license to conduct gambling
13 20 games on an excursion gambling boat, gambling
13 21 structure, or racetrack enclosure issued during
13 22 the fiscal year beginning July 1, 2011, there is
13 23 appropriated from the gaming enforcement fund to
13 24 the department of public safety for the fiscal year
13 25 beginning July 1, 2011, and ending June 30, 2012, an
13 26 additional amount of not more than \$521,000 to be used
13 27 for not more than 6.00 additional full-time equivalent
13 28 positions.

13 29 3. The department of public safety, with the
13 30 approval of the department of management, may employ
13 31 no more than two special agents and four gaming
13 32 enforcement officers for each additional riverboat
13 33 or gambling structure regulated after July 1, 2011,
13 34 and one special agent for each racing facility which
13 35 becomes operational during the fiscal year which
13 36 begins July 1, 2011. One additional gaming enforcement
13 37 officer, up to a total of four per riverboat or
13 38 gambling structure, may be employed for each riverboat
13 39 or gambling structure that has extended operations to
13 40 24 hours and has not previously operated with a 24-hour
13 41 schedule. Positions authorized in this subsection
13 42 are in addition to the full-time equivalent positions
13 43 otherwise authorized in this section.

13 44 Sec. 16. CIVIL RIGHTS COMMISSION. There is
13 45 appropriated from the general fund of the state to the
13 46 Iowa state civil rights commission for the fiscal year
13 47 beginning July 1, 2011, and ending June 30, 2012, the
13 48 following amount, or so much thereof as is necessary,
13 49 to be used for the purposes designated:

13 50 For salaries, support, maintenance, miscellaneous



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14 1 purposes, and for not more than the following full-time
14 2 equivalent positions:
14 3 \$ 1,397,069
14 4 FTEs 28.00
14 5 The Iowa state civil rights commission may enter
14 6 into a contract with a nonprofit organization to
14 7 provide legal assistance to resolve civil rights
14 8 complaints.
14 9 Sec. 17. Section 654.4B, subsection 2, paragraph b,
14 10 Code 2011, is amended to read as follows:
14 11 b. This subsection is repealed July 1, ~~2011~~ 2012.
14 12 Sec. 18. Section 124.204, subsection 4, Code 2011,
14 13 is amended by adding the following new paragraph:
14 14 NEW PARAGRAPH. ai. (1) Mephedrone, also known as
14 15 4=methylmethcathinone, (RS)=2=methylamino=1=(4=methylphenyl)
14 16 propan=1=one.
14 17 (2) Methylene=dioxypyrovalerone (MDPV) [(1=(1,3=
14 18 Benzodioxol=5=yl)=2=(1=pyrrolidinyl)=1=pentanone)].
14 19 (3) Salvia divinorum.
14 20 (4) Salvinorin A.
14 21 (5) Any substance, compound, mixture or preparation
14 22 which contains any quantity of any synthetic
14 23 cannabinoid that is not approved as a pharmaceutical,
14 24 including but not limited to the following:
14 25 (a) CP 47, 497 and homologues 2=[(1R, 3S)=3=
14 26 hydroxycyclohexyl]=5=(2=methyloctan=2=yl)phenol).
14 27 (b) HU=210[(6aR,10aR)=9=(hydroxymethyl)=6,6=dimethyl=3=
14 28 (2=methyloctan=2=yl)=6a,7,10,10a=tetrahydrobenzo[c]
14 29 chromen=1=ol)].
14 30 (c) HU=211(dexanabinol, (6aS,10aS)=9=(hydroxymethyl)=6,6=
14 31 dimethyl=3=(2=methyloctan=2=yl)=6a,7,10,10a=tetrahydrobenzo[c]
14 32 chromen=1=ol).
14 33 (d) JWH=018 1=Pentyl=3=(1=naphthoyl)indole.
14 34 (e) JWH=073 1=Butyl=3=(1=naphthoyl)indole.
14 35 (f) JWH=200 [1=[2=(4=morpholinyl)ethyl]=1H=indol=3=yl]=1=
14 36 naphthalenyl=methanone.
14 37 Sec. 19. Section 124.401, subsection 1, paragraph
14 38 c, subparagraph (8), Code 2011, is amended to read as
14 39 follows:
14 40 (8) Any other controlled substance, counterfeit
14 41 substance, or simulated controlled substance classified
14 42 in schedule I, II, or III, except as provided in
14 43 paragraph "d".
14 44 Sec. 20. Section 124.401, subsection 1, paragraph
14 45 d, Code 2011, is amended to read as follows:
14 46 d. Violation of this subsection, with respect
14 47 to any other controlled substances, counterfeit
14 48 substances, or simulated controlled substances
14 49 classified in section 124.204, subsection 4,
14 50 paragraph "ai", or classified in schedule IV or V is



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15 1 an aggravated misdemeanor. However, violation of
15 2 this subsection involving fifty kilograms or less of
15 3 marijuana or involving flunitrazepam is a class "D"
15 4 felony.

15 5 Sec. 21. 2009 Iowa Acts, chapter 178, section 20,
15 6 is amended to read as follows:

15 7 SEC. 20. CONSUMER EDUCATION AND LITIGATION
15 8 FUND. Notwithstanding section 714.16C, for each
15 9 fiscal year of the period beginning July 1, 2008, and
15 10 ending June 30, ~~2011~~ 2013, the annual appropriations
15 11 in section 714.16C, are increased from \$1,125,000 to
15 12 \$1,875,000, and \$75,000 to \$125,000 respectively.
15 13 Moneys appropriated from the consumer education and
15 14 litigation fund may be allocated for cash flow purposes
15 15 to the victim compensation fund established in section
15 16 915.94 during each of the fiscal years enumerated,
15 17 provided that any moneys so allocated are returned to
15 18 the consumer education and litigation fund by the end
15 19 of each fiscal year an allocation occurs.

15 20 Sec. 22. IOWA COMMUNICATIONS NETWORK. It is the
15 21 intent of the general assembly that the executive
15 22 branch agencies receiving an appropriation in this Act
15 23 utilize the Iowa communications network or secure other
15 24 electronic communications in lieu of traveling for the
15 25 fiscal year addressed by the appropriations.

15 26 Sec. 23. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
15 27 DIVISION. There is appropriated from the wireless
15 28 E911 emergency communications fund created in section
15 29 34A.7A to the administrator of the homeland security
15 30 and emergency management division of the department of
15 31 public defense for the fiscal year beginning July 1,
15 32 2011, and ending June 30, 2012, an amount not exceeding
15 33 \$200,000 to be used for implementation, support, and
15 34 maintenance of the functions of the administrator and
15 35 program manager under chapter 34A and to employ the
15 36 auditor of the state to perform an annual audit of the
15 37 wireless E911 emergency communications fund.

15 38 Sec. 24. GERIATRIC AND PSYCHIATRIC TREATMENT
15 39 ==== LEGISLATIVE STUDY. The legislative council is
15 40 requested to establish an interim study committee
15 41 to examine the treatment and placement options for
15 42 geriatric and psychiatric patients under the care,
15 43 custody, and control of the state, or for patients
15 44 who are otherwise specifically housed at the Iowa
15 45 medical and classification center at Oakdale or other
15 46 correctional facilities for geriatric or psychiatric
15 47 treatment purposes. The committee shall focus on
15 48 maximizing the availability of treatment options for
15 49 such patients while achieving fiscal efficiencies.
15 50 The committee shall review programs used in other



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16 1 states and by the federal government including but not
16 2 limited to the use of forensic hospitals, prison-based
16 3 hospice care, compassionate release, and the funding
16 4 mechanisms used to implement such programs. Members
16 5 of the interim study committee shall include the
16 6 co-chairpersons and the ranking members of the joint
16 7 appropriations subcommittee on justice system and
16 8 the co-chairpersons and the ranking members of the
16 9 joint appropriations subcommittee on human services.
16 10 The committee shall provide a report detailing the
16 11 findings of the committee to the general assembly for
16 12 consideration during the 2012 legislative session.
16 13 Sec. 25. GERIATRIC AND PSYCHIATRIC TREATMENT
16 14 REPORT. The departments of corrections, human
16 15 services, inspections and appeals, and public health,
16 16 and the board of parole, shall jointly study the
16 17 development and establishment of treatment options
16 18 for geriatric and psychiatric patients currently
16 19 under the care, custody, and control of the state
16 20 to provide maximum treatment opportunities for such
16 21 persons while achieving fiscal efficiencies. The
16 22 department of corrections in consultation with the
16 23 other departments and the board of parole, shall
16 24 provide a report detailing the results of the study
16 25 to the co-chairpersons and the ranking members of the
16 26 joint appropriations subcommittee on health and human
16 27 services, the co-chairpersons and ranking members
16 28 of the joint appropriations subcommittee on justice
16 29 system, the legislative interim study committee
16 30 examining such treatment options, if established by the
16 31 legislative council pursuant to this division of this
16 32 Act, and the legislative services agency by November
16 33 15, 2011.
16 34 Sec. 26. CORRECTIONAL OFFICER AND PEACE OFFICER
16 35 POSITIONS ==== PRIORITY. As a condition of receiving
16 36 an appropriation in this division of this Act, the
16 37 department of corrections and the department of public
16 38 safety shall make every effort to preserve correctional
16 39 officer and peace officer positions through the
16 40 reduction of administrative and related overhead costs.
16 41 Sec. 27. SALARY INCREASES ==== CERTAIN REVOLVING
16 42 FUNDS.
16 43 For the fiscal year beginning July 1, 2011, there is
16 44 appropriated from the gaming enforcement revolving fund
16 45 an amount necessary for funding annual pay adjustments
16 46 and related benefits for agents and officers of the
16 47 division of criminal investigation's racetrack,
16 48 excursion boat, or gambling structure enforcement
16 49 activities. Moneys appropriated pursuant to this
16 50 subsection shall be in addition to and supplement other



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17 1 appropriations from the fund.
17 2 Sec. 28. EFFECTIVE DATE. The following provision
17 3 of this division of this Act takes effect thirty days
17 4 after enactment, notwithstanding section 3.7:
17 5 The section of this division of this Act amending
17 6 section 124.204, subsection 4, paragraph "ai",
17 7 subparagraphs (1) through (4).
17 8 Sec. 29. EFFECTIVE UPON ENACTMENT. The following
17 9 provision of this division of this Act, being deemed of
17 10 immediate importance, and notwithstanding section 3.7
17 11 takes effect upon enactment:
17 12 The section of this Act amending section 124.204,
17 13 subsection 4, paragraph "ai", subparagraph (5).
17 14 Sec. 30. EFFECTIVE UPON ENACTMENT AND RETROACTIVE
17 15 APPLICABILITY. The following provision of this
17 16 division of this Act takes effect upon enactment, and
17 17 if approved by the governor on or after July 1, 2011,
17 18 shall apply retroactively to June 30, 2011:
17 19 The section of this division of this Act amending
17 20 section 654.4B.
17 21 DIVISION II
17 22 FY 2012=2013
17 23 Sec. 31. DEPARTMENT OF JUSTICE.
17 24 1. There is appropriated from the general fund
17 25 of the state to the department of justice for the
17 26 fiscal year beginning July 1, 2012, and ending June 30,
17 27 2013, the following amounts, or so much thereof as is
17 28 necessary, to be used for the purposes designated:
17 29 a. For the general office of attorney general for
17 30 salaries, support, maintenance, and miscellaneous
17 31 purposes, including the prosecuting attorneys training
17 32 program, matching funds for federal violence against
17 33 women grant programs, victim assistance grants, office
17 34 of drug control policy prosecuting attorney program,
17 35 and odometer fraud enforcement, and for not more than
17 36 the following full-time equivalent positions:
17 37 \$ 3,971,465
17 38 FTEs 212.00
17 39 It is the intent of the general assembly that as
17 40 a condition of receiving the appropriation provided
17 41 in this lettered paragraph, the department of justice
17 42 shall maintain a record of the estimated time incurred
17 43 representing each agency or department.
17 44 b. For victim assistance grants:
17 45 \$ 1,438,200
17 46 The funds appropriated in this lettered paragraph
17 47 shall be used to provide grants to care providers
17 48 providing services to crime victims of domestic abuse
17 49 or to crime victims of rape and sexual assault.
17 50 The balance of the victim compensation fund



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18 1 established in section 915.94 may be used to provide
18 2 salary and support of not more than 24 FTEs and
18 3 to provide maintenance for the victim compensation
18 4 functions of the department of justice.
18 5 The department of justice shall transfer at least
18 6 \$150,000 from the victim compensation fund established
18 7 in section 915.94 to the victim assistance grant
18 8 program.
18 9 c. For legal services for persons in poverty grants
18 10 as provided in section 13.34:
18 11 \$ 907,416
18 12 2. a. The department of justice, in submitting
18 13 budget estimates for the fiscal year commencing July
18 14 1, 2013, pursuant to section 8.23, shall include a
18 15 report of funding from sources other than amounts
18 16 appropriated directly from the general fund of the
18 17 state to the department of justice or to the office of
18 18 consumer advocate. These funding sources shall include
18 19 but are not limited to reimbursements from other state
18 20 agencies, commissions, boards, or similar entities, and
18 21 reimbursements from special funds or internal accounts
18 22 within the department of justice. The department of
18 23 justice shall also report actual reimbursements for the
18 24 fiscal year commencing July 1, 2011, and actual and
18 25 expected reimbursements for the fiscal year commencing
18 26 July 1, 2012.
18 27 b. The department of justice shall include the
18 28 report required under paragraph "a", as well as
18 29 information regarding any revisions occurring as a
18 30 result of reimbursements actually received or expected
18 31 at a later date, in a report to the co=chairpersons
18 32 and ranking members of the joint appropriations
18 33 subcommittee on the justice system and the legislative
18 34 services agency. The department of justice shall
18 35 submit the report on or before January 15, 2013.
18 36 Sec. 32. OFFICE OF CONSUMER ADVOCATE. There is
18 37 appropriated from the department of commerce revolving
18 38 fund created in section 546.12 to the office of
18 39 consumer advocate of the department of justice for the
18 40 fiscal year beginning July 1, 2012, and ending June 30,
18 41 2013, the following amount, or so much thereof as is
18 42 necessary, to be used for the purposes designated:
18 43 For salaries, support, maintenance, miscellaneous
18 44 purposes, and for not more than the following full=time
18 45 equivalent positions:
18 46 \$ 1,668,172
18 47 FTEs 22.00
18 48 Sec. 33. DEPARTMENT OF CORRECTIONS ==== FACILITIES.
18 49 1. There is appropriated from the general fund of
18 50 the state to the department of corrections for the



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19 1 fiscal year beginning July 1, 2012, and ending June
19 2 30, 2013, the following amounts, or so much thereof as
19 3 is necessary, to be used for the operation of adult
19 4 correctional institutions, reimbursement of counties
19 5 for certain confinement costs, and federal prison
19 6 reimbursement, to be allocated as follows:
19 7 a. For the operation of the Fort Madison
19 8 correctional facility, including salaries, support,
19 9 maintenance, and miscellaneous purposes:
19 10 \$ 20,594,223
19 11 b. For the operation of the Anamosa correctional
19 12 facility, including salaries, support, maintenance, and
19 13 miscellaneous purposes:
19 14 \$ 15,992,987
19 15 c. For the operation of the Oakdale correctional
19 16 facility, including salaries, support, maintenance, and
19 17 miscellaneous purposes:
19 18 \$ 27,797,213
19 19 d. For the operation of the Newton correctional
19 20 facility, including salaries, support, maintenance, and
19 21 miscellaneous purposes:
19 22 \$ 12,979,379
19 23 e. For the operation of the Mt. Pleasant
19 24 correctional facility, including salaries, support,
19 25 maintenance, and miscellaneous purposes:
19 26 \$ 12,958,908
19 27 f. For the operation of the Rockwell City
19 28 correctional facility, including salaries, support,
19 29 maintenance, and miscellaneous purposes:
19 30 \$ 4,658,233
19 31 g. For the operation of the Clarinda correctional
19 32 facility, including salaries, support, maintenance, and
19 33 miscellaneous purposes:
19 34 \$ 12,241,178
19 35 Moneys received by the department of corrections as
19 36 reimbursement for services provided to the Clarinda
19 37 youth corporation are appropriated to the department
19 38 and shall be used for the purpose of operating the
19 39 Clarinda correctional facility.
19 40 h. For the operation of the Mitchellville
19 41 correctional facility, including salaries, support,
19 42 maintenance, and miscellaneous purposes:
19 43 \$ 7,807,687
19 44 i. For the operation of the Fort Dodge correctional
19 45 facility, including salaries, support, maintenance, and
19 46 miscellaneous purposes:
19 47 \$ 14,531,118
19 48 j. For reimbursement of counties for temporary
19 49 confinement of work release and parole violators, as
19 50 provided in sections 901.7, 904.908, and 906.17, and



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20 1 for offenders confined pursuant to section 904.513:
20 2 \$ 387,546
20 3 k. For federal prison reimbursement, reimbursements
20 4 for out-of-state placements, and miscellaneous
20 5 contracts:
20 6 \$ 119,706
20 7 2. The department of corrections shall use moneys
20 8 appropriated in subsection 1 to continue to contract
20 9 for the services of a Muslim imam and a Native American
20 10 spiritual leader.
20 11 Sec. 34. DEPARTMENT OF CORRECTIONS ====

20 12 ADMINISTRATION.
20 13 There is appropriated from the general fund of
20 14 the state to the department of corrections for the
20 15 fiscal year beginning July 1, 2012, and ending June 30,
20 16 2013, the following amounts, or so much thereof as is
20 17 necessary, to be used for the purposes designated:
20 18 1. For general administration, including salaries,
20 19 support, maintenance, employment of an education
20 20 director to administer a centralized education
20 21 program for the correctional system, and miscellaneous
20 22 purposes:
20 23 \$ 2,417,771
20 24 a. It is the intent of the general assembly
20 25 that as a condition of receiving the appropriation
20 26 provided in this lettered paragraph the department of
20 27 corrections shall not, except as otherwise provided
20 28 in paragraph "c", enter into a new contract, unless
20 29 the contract is a renewal of an existing contract,
20 30 for the expenditure of moneys in excess of \$100,000
20 31 during the fiscal year beginning July 1, 2012, for the
20 32 privatization of services performed by the department
20 33 using state employees as of July 1, 2012, or for the
20 34 privatization of new services by the department without
20 35 prior consultation with any applicable state employee
20 36 organization affected by the proposed new contract and
20 37 prior notification of the co-chairpersons and ranking
20 38 members of the joint appropriations subcommittee on the
20 39 justice system.
20 40 b. It is the intent of the general assembly
20 41 that each lease negotiated by the department of
20 42 corrections with a private corporation for the purpose
20 43 of providing private industry employment of inmates in
20 44 a correctional institution shall prohibit the private
20 45 corporation from utilizing inmate labor for partisan
20 46 political purposes for any person seeking election to
20 47 public office in this state and that a violation of
20 48 this requirement shall result in a termination of the
20 49 lease agreement.
20 50 c. It is the intent of the general assembly that as



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21 1 a condition of receiving the appropriation provided in
21 2 this subsection the department of corrections shall not
21 3 enter into a lease or contractual agreement pursuant to
21 4 section 904.809 with a private corporation for the use
21 5 of building space for the purpose of providing inmate
21 6 employment without providing that the terms of the
21 7 lease or contract establish safeguards to restrict, to
21 8 the greatest extent feasible, access by inmates working
21 9 for the private corporation to personal identifying
21 10 information of citizens.

21 11 2. For educational programs for inmates at state
21 12 penal institutions:
21 13 \$ 1,154,055

21 14 a. As a condition of receiving the appropriation in
21 15 this subsection, the department of corrections shall
21 16 transfer at least \$300,000 from the canteen operating
21 17 funds established pursuant to section 904.310 to be
21 18 used for correctional educational programs funded in
21 19 this subsection.

21 20 b. It is the intent of the general assembly that
21 21 moneys appropriated in this subsection shall be used
21 22 solely for the purpose indicated and that the moneys
21 23 shall not be transferred for any other purpose. In
21 24 addition, it is the intent of the general assembly
21 25 that the department shall consult with the community
21 26 colleges in the areas in which the institutions
21 27 are located to utilize moneys appropriated in this
21 28 subsection to fund the high school completion, high
21 29 school equivalency diploma, adult literacy, and adult
21 30 basic education programs in a manner so as to maintain
21 31 these programs at the institutions.

21 32 c. To maximize the funding for educational
21 33 programs, the department shall establish guidelines
21 34 and procedures to prioritize the availability of
21 35 educational and vocational training for inmates based
21 36 upon the goal of facilitating an inmate's successful
21 37 release from the correctional institution.

21 38 d. The director of the department of corrections
21 39 may transfer moneys from Iowa prison industries for use
21 40 in educational programs for inmates.

21 41 e. Notwithstanding section 8.33, moneys
21 42 appropriated in this subsection that remain unobligated
21 43 or unexpended at the close of the fiscal year shall not
21 44 revert but shall remain available to be used only for
21 45 the purposes designated in this subsection until the
21 46 close of the succeeding fiscal year.

21 47 3. For the development of the Iowa corrections
21 48 offender network (ICON) data system:
21 49 \$ 212,182

21 50 4. For offender mental health and substance abuse



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22 1 treatment:
22 2 \$ 11,160
22 3 5. For viral hepatitis prevention and treatment:
22 4 \$ 83,941
22 5 6. It is the intent of the general assembly that
22 6 for the fiscal year addressed by this section the
22 7 department of corrections shall continue to operate the
22 8 correctional farms under the control of the department
22 9 at the same or greater level of participation and
22 10 involvement as existed as of January 1, 2011; shall not
22 11 enter into any rental agreement or contract concerning
22 12 any farmland under the control of the department that
22 13 is not subject to a rental agreement or contract as of
22 14 January 1, 2011, without prior legislative approval;
22 15 and shall further attempt to provide job opportunities
22 16 at the farms for inmates. The department shall attempt
22 17 to provide job opportunities at the farms for inmates
22 18 by encouraging labor-intensive farming or gardening
22 19 where appropriate; using inmates to grow produce
22 20 and meat for institutional consumption; researching
22 21 the possibility of instituting food canning and
22 22 cook-and-chill operations; and exploring opportunities
22 23 for organic farming and gardening, livestock ventures,
22 24 horticulture, and specialized crops.
22 25 7. The department of corrections shall solicit
22 26 requests for information to improve efficiencies at the
22 27 pharmacy under the control of the department.
22 28 Sec. 35. JUDICIAL DISTRICT DEPARTMENTS OF
22 29 CORRECTIONAL SERVICES.
22 30 1. There is appropriated from the general fund of
22 31 the state to the department of corrections for the
22 32 fiscal year beginning July 1, 2012, and ending June
22 33 30, 2013, for salaries, support, maintenance, and
22 34 miscellaneous purposes, the following amounts, or
22 35 so much thereof as is necessary, to be allocated as
22 36 follows:
22 37 a. For the first judicial district department of
22 38 correctional services:
22 39 \$ 6,102,474
22 40 b. For the second judicial district department of
22 41 correctional services:
22 42 \$ 5,168,474
22 43 c. For the third judicial district department of
22 44 correctional services:
22 45 \$ 2,799,883
22 46 d. For the fourth judicial district department of
22 47 correctional services:
22 48 \$ 2,695,678
22 49 e. For the fifth judicial district department of
22 50 correctional services, including funding for electronic



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23 1 monitoring devices for use on a statewide basis:
23 2 \$ 9,371,065
23 3 f. For the sixth judicial district department of
23 4 correctional services:
23 5 \$ 6,556,282
23 6 g. For the seventh judicial district department of
23 7 correctional services:
23 8 \$ 3,246,407
23 9 h. For the eighth judicial district department of
23 10 correctional services:
23 11 \$ 3,439,858
23 12 2. Each judicial district department of
23 13 correctional services, within the funding available,
23 14 shall continue programs and plans established within
23 15 that district to provide for intensive supervision, sex
23 16 offender treatment, diversion of low-risk offenders
23 17 to the least restrictive sanction available, job
23 18 development, and expanded use of intermediate criminal
23 19 sanctions.
23 20 3. Each judicial district department of
23 21 correctional services shall provide alternatives to
23 22 prison consistent with chapter 901B. The alternatives
23 23 to prison shall ensure public safety while providing
23 24 maximum rehabilitation to the offender. A judicial
23 25 district department of correctional services may also
23 26 establish a day program.
23 27 4. The governor's office of drug control policy
23 28 or any succeeding entity of the governor's office of
23 29 drug control policy shall consider federal grants made
23 30 to the department of corrections for the benefit of
23 31 each of the eight judicial district departments of
23 32 correctional services as local government grants, as
23 33 defined pursuant to federal regulations.
23 34 5. The department of corrections shall continue
23 35 to contract with a judicial district department
23 36 of correctional services to provide for the rental
23 37 of electronic monitoring equipment which shall be
23 38 available statewide.
23 39 Sec. 36. DEPARTMENT OF CORRECTIONS ==== REALLOCATION
23 40 OF APPROPRIATIONS. Notwithstanding section 8.39,
23 41 within the moneys appropriated in this division of this
23 42 Act to the department of corrections, the department
23 43 may reallocate the moneys appropriated and allocated as
23 44 necessary to best fulfill the needs of the correctional
23 45 institutions, administration of the department, and the
23 46 judicial district departments of correctional services.
23 47 However, in addition to complying with the requirements
23 48 of sections 904.116 and 905.8 and providing notice
23 49 to the legislative services agency, the department
23 50 of corrections shall also provide notice to the



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24 1 department of management, prior to the effective date
24 2 of the revision or reallocation of an appropriation
24 3 made pursuant to this section. The department of
24 4 corrections shall not reallocate an appropriation or
24 5 allocation for the purpose of eliminating any program.
24 6 Sec. 37. INTENT ==== REPORTS.
24 7 1. The department of corrections in cooperation
24 8 with townships, the Iowa cemetery associations, and
24 9 other nonprofit or governmental entities may use inmate
24 10 labor during the fiscal year beginning July 1, 2012,
24 11 to restore or preserve rural cemeteries and historical
24 12 landmarks. The department in cooperation with the
24 13 counties may also use inmate labor to clean up roads,
24 14 major water sources, and other water sources around the
24 15 state.
24 16 2. On a quarterly basis the department shall
24 17 provide a status report regarding private=sector
24 18 employment to the legislative services agency beginning
24 19 on July 1, 2012. The report shall include the number
24 20 of offenders employed in the private sector, the
24 21 combined number of hours worked by the offenders, the
24 22 total amount of allowances, and the distribution of
24 23 allowances pursuant to section 904.702, including any
24 24 moneys deposited in the general fund of the state.
24 25 Sec. 38. ELECTRONIC MONITORING REPORT. The
24 26 department of corrections shall submit a report on
24 27 electronic monitoring to the general assembly, to the
24 28 co=chairpersons and the ranking members of the joint
24 29 appropriations subcommittee on the justice system, and
24 30 to the legislative services agency by January 15, 2013.
24 31 The report shall specifically address the number of
24 32 persons being electronically monitored and break down
24 33 the number of persons being electronically monitored
24 34 by offense committed. The report shall also include a
24 35 comparison of any data from the prior fiscal year with
24 36 the current year.
24 37 Sec. 39. STATE AGENCY PURCHASES FROM PRISON
24 38 INDUSTRIES.
24 39 1. As used in this section, unless the context
24 40 otherwise requires, "state agency" means the government
24 41 of the state of Iowa, including but not limited to
24 42 all executive branch departments, agencies, boards,
24 43 bureaus, and commissions, the judicial branch,
24 44 the general assembly and all legislative agencies,
24 45 institutions within the purview of the state board of
24 46 regents, and any corporation whose primary function is
24 47 to act as an instrumentality of the state.
24 48 2. State agencies are hereby encouraged to purchase
24 49 products from Iowa state industries, as defined in
24 50 section 904.802, when purchases are required and the



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25 1 products are available from Iowa state industries.
25 2 State agencies shall obtain bids from Iowa state
25 3 industries for purchases of office furniture during the
25 4 fiscal year beginning July 1, 2012, exceeding \$5,000
25 5 or in accordance with applicable administrative rules
25 6 related to purchases for the agency.

25 7 Sec. 40. IOWA LAW ENFORCEMENT ACADEMY.

25 8 1. There is appropriated from the general fund of
25 9 the state to the Iowa law enforcement academy for the
25 10 fiscal year beginning July 1, 2012, and ending June 30,
25 11 2013, the following amount, or so much thereof as is
25 12 necessary, to be used for the purposes designated:

25 13 For salaries, support, maintenance, miscellaneous
25 14 purposes, including jailer training and technical
25 15 assistance, and for not more than the following
25 16 full-time equivalent positions:

25 17	\$	434,349
25 18	FTEs	24.55

25 19 It is the intent of the general assembly that the
25 20 Iowa law enforcement academy may provide training of
25 21 state and local law enforcement personnel concerning
25 22 the recognition of and response to persons with
25 23 Alzheimer's disease.

25 24 The Iowa law enforcement academy may temporarily
25 25 exceed and draw more than the amount appropriated in
25 26 this subsection and incur a negative cash balance as
25 27 long as there are receivables equal to or greater than
25 28 the negative balance and the amount appropriated in
25 29 this subsection is not exceeded at the close of the
25 30 fiscal year.

25 31 2. The Iowa law enforcement academy may select
25 32 at least five automobiles of the department of public
25 33 safety, division of state patrol, prior to turning over
25 34 the automobiles to the department of administrative
25 35 services to be disposed of by public auction, and
25 36 the Iowa law enforcement academy may exchange any
25 37 automobile owned by the academy for each automobile
25 38 selected if the selected automobile is used in training
25 39 law enforcement officers at the academy. However,
25 40 any automobile exchanged by the academy shall be
25 41 substituted for the selected vehicle of the department
25 42 of public safety and sold by public auction with the
25 43 receipts being deposited in the depreciation fund to
25 44 the credit of the department of public safety, division
25 45 of state patrol.

25 46 Sec. 41. STATE PUBLIC DEFENDER. There is
25 47 appropriated from the general fund of the state to the
25 48 office of the state public defender of the department
25 49 of inspections and appeals for the fiscal year
25 50 beginning July 1, 2012, and ending June 30, 2013, the



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26 1 following amounts, or so much thereof as is necessary,
26 2 to be allocated as follows for the purposes designated:
26 3 1. For salaries, support, maintenance,
26 4 miscellaneous purposes, and for not more than the
26 5 following full-time equivalent positions:
26 6 \$ 12,041,591
26 7 FTEs 219.00
26 8 2. For the fees of court-appointed attorneys for
26 9 indigent adults and juveniles, in accordance with
26 10 section 232.141 and chapter 815:
26 11 \$ 15,840,465
26 12 Sec. 42. BOARD OF PAROLE. There is appropriated
26 13 from the general fund of the state to the board of
26 14 parole for the fiscal year beginning July 1, 2012, and
26 15 ending June 30, 2013, the following amount, or so much
26 16 thereof as is necessary, to be used for the purposes
26 17 designated:
26 18 For salaries, support, maintenance, miscellaneous
26 19 purposes, and for not more than the following full-time
26 20 equivalent positions:
26 21 \$ 526,918
26 22 FTEs 12.50
26 23 Sec. 43. DEPARTMENT OF PUBLIC DEFENSE. There is
26 24 appropriated from the general fund of the state to
26 25 the department of public defense for the fiscal year
26 26 beginning July 1, 2012, and ending June 30, 2013, the
26 27 following amounts, or so much thereof as is necessary,
26 28 to be used for the purposes designated:
26 29 1. MILITARY DIVISION
26 30 For salaries, support, maintenance, miscellaneous
26 31 purposes, and for not more than the following full-time
26 32 equivalent positions:
26 33 \$ 2,763,521
26 34 FTEs 313.00
26 35 The military division may temporarily exceed
26 36 and draw more than the amount appropriated in this
26 37 subsection and incur a negative cash balance as long
26 38 as there are receivables of federal funds equal to
26 39 or greater than the negative balance and the amount
26 40 appropriated in this subsection is not exceeded at the
26 41 close of the fiscal year.
26 42 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
26 43 DIVISION
26 44 For salaries, support, maintenance, miscellaneous
26 45 purposes, and for not more than the following full-time
26 46 equivalent positions:
26 47 \$ 918,439
26 48 FTEs 40.00
26 49 a. The homeland security and emergency management
26 50 division may temporarily exceed and draw more than the



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27 1 amount appropriated in this subsection and incur a
27 2 negative cash balance as long as there are receivables
27 3 of federal funds equal to or greater than the negative
27 4 balance and the amount appropriated in this subsection
27 5 is not exceeded at the close of the fiscal year.

27 6 b. It is the intent of the general assembly that
27 7 the homeland security and emergency management division
27 8 work in conjunction with the department of public
27 9 safety, to the extent possible, when gathering and
27 10 analyzing information related to potential domestic
27 11 or foreign security threats, and when monitoring such
27 12 threats.

27 13 Sec. 44. DEPARTMENT OF PUBLIC SAFETY. There is
27 14 appropriated from the general fund of the state to
27 15 the department of public safety for the fiscal year
27 16 beginning July 1, 2012, and ending June 30, 2013, the
27 17 following amounts, or so much thereof as is necessary,
27 18 to be used for the purposes designated:

27 19 1. For the department's administrative functions,
27 20 including the criminal justice information system, and
27 21 for not more than the following full-time equivalent
27 22 positions:

27 23	\$	2,003,538
27 24	FTEs	36.00

27 25 2. For the division of criminal investigation,
27 26 including the state's contribution to the peace
27 27 officers' retirement, accident, and disability system
27 28 provided in chapter 97A in the amount of the state's
27 29 normal contribution rate, as defined in section
27 30 97A.8, multiplied by the salaries for which the
27 31 funds are appropriated, to meet federal fund matching
27 32 requirements, and for not more than the following
27 33 full-time equivalent positions:

27 34	\$	6,266,966
27 35	FTEs	159.10

27 36 The department shall employ one additional special
27 37 agent and one additional criminalist for the purpose
27 38 of investigating cold cases. Prior to employing the
27 39 additional special agent and criminalist authorized
27 40 in this paragraph, the department shall provide a
27 41 written statement to prospective employees that states
27 42 to the effect that the positions are being funded by
27 43 a temporary federal grant and there are no assurances
27 44 that funds from other sources will be available after
27 45 the federal funding expires. If the federal funding
27 46 for the additional positions expires during the fiscal
27 47 year, the number of full-time equivalent positions
27 48 authorized in this subsection is reduced by 2.00 FTEs.

27 49 3. For the criminalistics laboratory fund created
27 50 in section 691.9:



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28 1	\$	151,173
28 2 4. a. For the division of narcotics enforcement,		
28 3 including the state's contribution to the peace		
28 4 officers' retirement, accident, and disability system		
28 5 provided in chapter 97A in the amount of the state's		
28 6 normal contribution rate, as defined in section		
28 7 97A.8, multiplied by the salaries for which the		
28 8 funds are appropriated, to meet federal fund matching		
28 9 requirements, and for not more than the following		
28 10 full-time equivalent positions:		
28 11	\$	3,176,673
28 12	FTEs	74.00
28 13 b. For the division of narcotics enforcement for		
28 14 undercover purchases:		
28 15	\$	54,521
28 16 5. For the division of state fire marshal, for fire		
28 17 protection services as provided through the state fire		
28 18 service and emergency response council as created in		
28 19 the department, and for the state's contribution to the		
28 20 peace officers' retirement, accident, and disability		
28 21 system provided in chapter 97A in the amount of the		
28 22 state's normal contribution rate, as defined in section		
28 23 97A.8, multiplied by the salaries for which the funds		
28 24 are appropriated, and for not more than the following		
28 25 full-time equivalent positions:		
28 26	\$	2,149,354
28 27	FTEs	55.00
28 28 6. For the division of state patrol, for salaries,		
28 29 support, maintenance, workers' compensation costs,		
28 30 and miscellaneous purposes, including the state's		
28 31 contribution to the peace officers' retirement,		
28 32 accident, and disability system provided in chapter 97A		
28 33 in the amount of the state's normal contribution rate,		
28 34 as defined in section 97A.8, multiplied by the salaries		
28 35 for which the funds are appropriated, and for not more		
28 36 than the following full-time equivalent positions:		
28 37	\$	25,951,617
28 38	FTEs	513.00
28 39 It is the intent of the general assembly that		
28 40 members of the state patrol be assigned to patrol		
28 41 the highways and roads in lieu of assignments for		
28 42 inspecting school buses for the school districts.		
28 43 7. For deposit in the sick leave benefits fund		
28 44 established under section 80.42 for all departmental		
28 45 employees eligible to receive benefits for accrued sick		
28 46 leave under the collective bargaining agreement:		
28 47	\$	139,759
28 48 8. For costs associated with the training and		
28 49 equipment needs of volunteer fire fighters:		
28 50	\$	362,760



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29 1 a. Notwithstanding section 8.33, moneys
29 2 appropriated in this subsection that remain
29 3 unencumbered or unobligated at the close of the fiscal
29 4 year shall not revert but shall remain available for
29 5 expenditure only for the purpose designated in this
29 6 subsection until the close of the succeeding fiscal
29 7 year.

29 8 b. Notwithstanding section 8.39, within the
29 9 moneys appropriated in this section, the department
29 10 of public safety may reallocate moneys as necessary
29 11 to best fulfill the needs provided for in the
29 12 appropriation. However, the department shall not
29 13 reallocate an appropriation made to the department
29 14 in this section unless notice of the reallocation
29 15 is given to the legislative services agency and
29 16 the department of management prior to the effective
29 17 date of the reallocation. The notice shall include
29 18 information regarding the rationale for reallocating
29 19 the appropriation. The department shall not reallocate
29 20 an appropriation made in this section for the purpose
29 21 of eliminating any program.

29 22 Sec. 45. GAMING ENFORCEMENT.

29 23 1. There is appropriated from the gaming
29 24 enforcement revolving fund created in section 80.43 to
29 25 the department of public safety for the fiscal year
29 26 beginning July 1, 2012, and ending June 30, 2013, the
29 27 following amount, or so much thereof as is necessary,
29 28 to be used for the purposes designated:

29 29 For any direct and indirect support costs for
29 30 agents and officers of the division of criminal
29 31 investigation's excursion gambling boat, gambling
29 32 structure, and racetrack enclosure enforcement
29 33 activities, including salaries, support, maintenance,
29 34 miscellaneous purposes, and for not more than the
29 35 following full-time equivalent positions:
29 36 \$ 4,918,153
29 37 FTEs 120.00

29 38 2. For each additional license to conduct gambling
29 39 games on an excursion gambling boat, gambling
29 40 structure, or racetrack enclosure issued during
29 41 the fiscal year beginning July 1, 2012, there is
29 42 appropriated from the gaming enforcement fund to
29 43 the department of public safety for the fiscal year
29 44 beginning July 1, 2012, and ending June 30, 2013, an
29 45 additional amount of not more than \$521,000 to be used
29 46 for not more than 6.00 additional full-time equivalent
29 47 positions.

29 48 3. The department of public safety, with the
29 49 approval of the department of management, may employ
29 50 no more than two special agents and four gaming



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30 1 enforcement officers for each additional riverboat
30 2 or gambling structure regulated after July 1, 2012,
30 3 and one special agent for each racing facility which
30 4 becomes operational during the fiscal year which
30 5 begins July 1, 2012. One additional gaming enforcement
30 6 officer, up to a total of four per riverboat or
30 7 gambling structure, may be employed for each riverboat
30 8 or gambling structure that has extended operations to
30 9 24 hours and has not previously operated with a 24-hour
30 10 schedule. Positions authorized in this subsection
30 11 are in addition to the full-time equivalent positions
30 12 otherwise authorized in this section.

30 13 Sec. 46. CIVIL RIGHTS COMMISSION. There is
30 14 appropriated from the general fund of the state to the
30 15 Iowa state civil rights commission for the fiscal year
30 16 beginning July 1, 2012, and ending June 30, 2013, the
30 17 following amount, or so much thereof as is necessary,
30 18 to be used for the purposes designated:

30 19 For salaries, support, maintenance, miscellaneous
30 20 purposes, and for not more than the following full-time
30 21 equivalent positions:

30 22	\$	698,535
30 23	FTEs	28.00

30 24 The Iowa state civil rights commission may enter
30 25 into a contract with a nonprofit organization to
30 26 provide legal assistance to resolve civil rights
30 27 complaints.

30 28 Sec. 47. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
30 29 DIVISION. There is appropriated from the wireless
30 30 E911 emergency communications fund created in section
30 31 34A.7A to the administrator of the homeland security
30 32 and emergency management division of the department of
30 33 public defense for the fiscal year beginning July 1,
30 34 2012, and ending June 30, 2013, an amount not exceeding
30 35 \$200,000 to be used for implementation, support, and
30 36 maintenance of the functions of the administrator and
30 37 program manager under chapter 34A and to employ the
30 38 auditor of the state to perform an annual audit of the
30 39 wireless E911 emergency communications fund.

30 40 Sec. 48. CORRECTIONAL OFFICER AND PEACE OFFICER
30 41 POSITIONS ==== PRIORITY. As a condition of receiving
30 42 an appropriation in this division of this Act, the
30 43 department of corrections and the department of public
30 44 safety shall make every effort to preserve correctional
30 45 officer and peace officer positions through the
30 46 reduction of administrative and related overhead costs.

30 47 DIVISION III

30 48 CONDITIONAL EFFECTIVE DATE AND RETROACTIVE
30 49 APPLICABILITY

30 50 Sec. 49. EFFECTIVE DATE AND RETROACTIVE



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31 1 APPLICABILITY. Unless otherwise provided, this Act,
31 2 if approved by the governor on or after July 1, 2011,
31 3 takes effect upon enactment and applies retroactively
31 4 to July 1, 2011.>
31 5 #2. Title page, line 2, after <system> by inserting
31 6 <, providing penalties, and including effective and
31 7 retroactive applicability date provisions>
S3233.3362.S (2) 84
jh



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House Amendment 1745

PAG LIN

1 Amend the amendment, S=3285, to Senate File 517,
1 2 as amended, passed, and reprinted by the Senate, as
1 3 follows:
1 4 #1. By striking page 1, line 5, through page 20,
1 5 line 19, and inserting:
1 6 <<DIVISION I
1 7 FY 2011=2012
1 8 Section 1. DEPARTMENT OF CULTURAL AFFAIRS. There
1 9 is appropriated from the general fund of the state to
1 10 the department of cultural affairs for the fiscal year
1 11 beginning July 1, 2011, and ending June 30, 2012, the
1 12 following amounts, or so much thereof as is necessary,
1 13 to be used for the purposes designated:
1 14 1. ADMINISTRATION
1 15 For salaries, support, maintenance, miscellaneous
1 16 purposes, and for not more than the following full-time
1 17 equivalent positions for the department:
1 18 \$ 181,813
1 19 FTEs 74.50
1 20 The department of cultural affairs shall coordinate
1 21 activities with the tourism office of the department of
1 22 economic development to promote attendance at the state
1 23 historical building and at this state's historic sites.
1 24 Full-time equivalent positions authorized under
1 25 this subsection shall be funded, in full or in part,
1 26 using moneys appropriated under this subsection and
1 27 subsections 3 through 7.
1 28 2. COMMUNITY CULTURAL GRANTS
1 29 For planning and programming for the community
1 30 cultural grants program established under section
1 31 303.3:
1 32 \$ 172,090
1 33 3. HISTORICAL DIVISION
1 34 For the support of the historical division:
1 35 \$ 2,767,701
1 36 4. HISTORIC SITES
1 37 For the administration and support of historic
1 38 sites:
1 39 \$ 426,398
1 40 5. ARTS DIVISION
1 41 For the support of the arts division:
1 42 \$ 933,764
1 43 6. IOWA GREAT PLACES
1 44 For the Iowa great places program established under
1 45 section 303.3C:
1 46 \$ 193,823
1 47 7. ARCHIVE IOWA GOVERNORS' RECORDS
1 48 For archiving the records of Iowa governors:
1 49 \$ 65,933
1 50 8. RECORDS CENTER RENT



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2 1 For payment of rent for the state records center:
2 2 \$ 227,243
2 3 9. BATTLE FLAGS
2 4 For continuation of the project recommended by the
2 5 Iowa battle flag advisory committee to stabilize the
2 6 condition of the battle flag collection:
2 7 \$ 60,000
2 8 Sec. 2. GOALS AND ACCOUNTABILITY ==== ECONOMIC
2 9 DEVELOPMENT.
2 10 1. For the fiscal year beginning July 1, 2011, the
2 11 goals for the department of economic development shall
2 12 be to expand and stimulate the state economy, increase
2 13 the wealth of Iowans, and increase the population of
2 14 the state.
2 15 2. To achieve the goals in subsection 1, the
2 16 department of economic development shall do all of the
2 17 following for the fiscal year beginning July 1, 2011:
2 18 a. Concentrate its efforts on programs and
2 19 activities that result in commercially viable products
2 20 and services.
2 21 b. Adopt practices and services consistent with
2 22 free market, private sector philosophies.
2 23 c. Ensure economic growth and development
2 24 throughout the state.
2 25 d. Work with businesses and communities to
2 26 continually improve the economic development climate
2 27 along with the economic well-being and quality of life
2 28 for Iowans.
2 29 e. Coordinate with other state agencies to
2 30 ensure that they are attentive to the needs of an
2 31 entrepreneurial culture.
2 32 f. Establish a strong and aggressive marketing
2 33 image to showcase Iowa's workforce, existing industry,
2 34 and potential. A priority shall be placed on
2 35 recruiting new businesses, business expansion, and
2 36 retaining existing Iowa businesses. Emphasis shall be
2 37 placed on entrepreneurial development through helping
2 38 entrepreneurs secure capital, and developing networks
2 39 and a business climate conducive to entrepreneurs and
2 40 small businesses.
2 41 g. Encourage the development of communities and
2 42 quality of life to foster economic growth.
2 43 h. Prepare communities for future growth and
2 44 development through development, expansion, and
2 45 modernization of infrastructure.
2 46 i. Develop public-private partnerships with
2 47 Iowa businesses in the tourism industry, Iowa tour
2 48 groups, Iowa tourism organizations, and political
2 49 subdivisions in this state to assist in the development
2 50 of advertising efforts.



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3 1 j. Develop, to the fullest extent possible,
3 2 cooperative efforts for advertising with contributions
3 3 from other sources.
3 4 Sec. 3. DEPARTMENT OF ECONOMIC DEVELOPMENT.
3 5 1. APPROPRIATION
3 6 There is appropriated from the general fund of the
3 7 state to the department of economic development for the
3 8 fiscal year beginning July 1, 2011, and ending June
3 9 30, 2012, the following amounts, or so much thereof as
3 10 is necessary, to be used for the purposes designated
3 11 in subsection 2, and for not more than the following
3 12 full-time equivalent positions:
3 13 \$ 9,638,789
3 14 FTEs 149.00
3 15 2. DESIGNATED PURPOSES
3 16 a. For salaries, support, miscellaneous purposes,
3 17 programs, and the maintenance of an administration
3 18 division, a business development division, and a
3 19 community development division.
3 20 b. The full-time equivalent positions authorized
3 21 under this section shall be funded, in whole or in
3 22 part, by the moneys appropriated under subsection 1 or
3 23 by other moneys received by the department, including
3 24 certain federal moneys.
3 25 c. For business development operations and
3 26 programs, the film office, international trade, export
3 27 assistance, workforce recruitment, and the partner
3 28 state program.
3 29 d. For transfer to the strategic investment fund
3 30 created in section 15.313.
3 31 e. For transfer to the grow Iowa values fund
3 32 created in section 15G.111.
3 33 f. For community economic development programs,
3 34 tourism operations, community assistance, plans
3 35 for Iowa green corps and summer youth programs,
3 36 the mainstreet and rural mainstreet programs, the
3 37 school-to-career program, the community development
3 38 block grant, and housing and shelter-related programs.
3 39 g. For achieving the goals and accountability, and
3 40 fulfilling the requirements and duties required under
3 41 this Act.
3 42 3. NONREVERSION
3 43 Notwithstanding section 8.33, moneys appropriated in
3 44 subsection 1 that remain unencumbered or unobligated
3 45 at the close of the fiscal year shall not revert but
3 46 shall remain available for expenditure for the purposes
3 47 designated in subsection 2 until the close of the
3 48 succeeding fiscal year.
3 49 4. FINANCIAL ASSISTANCE RESTRICTIONS
3 50 a. A business creating jobs through moneys



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4 1 appropriated in this section shall be subject to
4 2 contract provisions requiring new and retained jobs to
4 3 be filled by individuals who are citizens of the United
4 4 States who reside within the United States or any
4 5 person authorized to work in the United States pursuant
4 6 to federal law, including legal resident aliens in the
4 7 United States.

4 8 b. Any vendor who receives moneys appropriated in
4 9 this section shall adhere to such contract provisions
4 10 and provide periodic assurances as the state shall
4 11 require that the jobs are filled solely by citizens of
4 12 the United States who reside within the United States
4 13 or any person authorized to work in the United States
4 14 pursuant to federal law, including legal resident
4 15 aliens in the United States.

4 16 c. A business that receives financial assistance
4 17 from the department from moneys appropriated in
4 18 this section shall only employ individuals legally
4 19 authorized to work in this state. In addition to all
4 20 other applicable penalties provided by current law, all
4 21 or a portion of the assistance received by a business
4 22 which is found to knowingly employ individuals not
4 23 legally authorized to work in this state is subject to
4 24 recapture by the department.

4 25 5. USES OF APPROPRIATIONS

4 26 a. From the moneys appropriated in this section,
4 27 the department may provide financial assistance in the
4 28 form of a grant to a community economic development
4 29 entity for conducting a local workforce recruitment
4 30 effort designed to recruit former citizens of the state
4 31 and former students at colleges and universities in the
4 32 state to meet the needs of local employers.

4 33 b. From the moneys appropriated in this section,
4 34 the department may provide financial assistance to
4 35 early stage industry companies being established by
4 36 women entrepreneurs.

4 37 c. From the moneys appropriated in this section,
4 38 the department may provide financial assistance in the
4 39 form of grants, loans, or forgivable loans for advanced
4 40 research and commercialization projects involving
4 41 value-added agriculture, advanced technology, or
4 42 biotechnology.

4 43 d. The department shall not use any moneys
4 44 appropriated in this section for purposes of providing
4 45 financial assistance for the Iowa green streets pilot
4 46 project or for any other program or project that
4 47 involves the installation of geothermal systems for
4 48 melting snow and ice from streets or sidewalks.

4 49 6. WORLD FOOD PRIZE

4 50 For allocating moneys for the world food prize and



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5 1 notwithstanding the standing appropriation in section
5 2 15.368, subsection 1:
5 3 \$ 500,000
5 4 7. IOWA COMMISSION ON VOLUNTEER SERVICE
5 5 For allocation to the Iowa commission on volunteer
5 6 service for the Iowa's promise and mentoring
5 7 partnership programs, for transfer to the Iowa state
5 8 commission grant program, and for not more than the
5 9 following full-time equivalent positions:
5 10 \$ 178,133
5 11 FTEs 7.00
5 12 Of the moneys appropriated in this subsection, the
5 13 department shall allocate \$75,000 for purposes of
5 14 the Iowa state commission grant program and \$103,133
5 15 for purposes of the Iowa's promise and mentoring
5 16 partnership programs.
5 17 Notwithstanding section 8.33, moneys appropriated in
5 18 this subsection that remain unencumbered or unobligated
5 19 at the close of the fiscal year shall not revert but
5 20 shall remain available for expenditure for the purposes
5 21 designated until the close of the succeeding fiscal
5 22 year.
5 23 Sec. 4. VISION IOWA PROGRAM ==== FTE
5 24 AUTHORIZATION. For purposes of administrative
5 25 duties associated with the vision Iowa program for the
5 26 fiscal year beginning July 1, 2011, the department of
5 27 economic development is authorized an additional 2.25
5 28 FTEs above those otherwise authorized in this division
5 29 of this Act.
5 30 Sec. 5. INSURANCE ECONOMIC DEVELOPMENT. From
5 31 the moneys collected by the division of insurance in
5 32 excess of the anticipated gross revenues under section
5 33 505.7, subsection 3, during the fiscal year beginning
5 34 July 1, 2011, \$100,000 shall be transferred to the
5 35 department of economic development for insurance
5 36 economic development and international insurance
5 37 economic development.
5 38 Sec. 6. COMMUNITY DEVELOPMENT LOAN
5 39 FUND. Notwithstanding section 15E.120, subsection
5 40 5, there is appropriated from the Iowa community
5 41 development loan fund all moneys available during the
5 42 fiscal year beginning July 1, 2011, and ending June 30,
5 43 2012, to the department of economic development for
5 44 purposes of the community development program.
5 45 Sec. 7. WORKFORCE DEVELOPMENT FUND. There is
5 46 appropriated from the workforce development fund
5 47 account created in section 15.342A to the workforce
5 48 development fund created in section 15.343 for the
5 49 fiscal year beginning July 1, 2011, and ending June
5 50 30, 2012, the following amount, for purposes of the



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6 1 workforce development fund:
6 2 \$ 4,000,000
6 3 Sec. 8. WORKFORCE DEVELOPMENT ADMINISTRATION. From
6 4 moneys appropriated or transferred to or receipts
6 5 credited to the workforce development fund created in
6 6 section 15.343, up to \$400,000 for the fiscal year
6 7 beginning July 1, 2011, and ending June 30, 2012, are
6 8 appropriated to the department of economic development
6 9 for the administration of workforce development
6 10 activities including salaries, support, maintenance,
6 11 and miscellaneous purposes, and for not more than the
6 12 following full-time equivalent positions:
6 13 FTEs 4.00
6 14 Sec. 9. JOB TRAINING FUND. Notwithstanding section
6 15 15.251, all moneys in the job training fund on July 1,
6 16 2011, and any moneys appropriated or credited to the
6 17 fund during the fiscal year beginning July 1, 2011,
6 18 shall be transferred to the workforce development fund
6 19 established pursuant to section 15.343.
6 20 Sec. 10. GREEN INITIATIVES EXPENDITURE REPORT. By
6 21 January 1, 2012, the department of economic development
6 22 shall submit a written report to the general assembly
6 23 regarding all expenditures made during the previous
6 24 fiscal year for purposes of green initiatives,
6 25 sustainability programs, and all such similar efforts.
6 26 The report shall identify such expenditures with a
6 27 level of specificity sufficient to allow the general
6 28 assembly to evaluate and assess the propriety of such
6 29 expenditures under the spending authority given to the
6 30 department for such purposes.
6 31 Sec. 11. IOWA STATE UNIVERSITY.
6 32 1. There is appropriated from the general fund
6 33 of the state to Iowa state university of science
6 34 and technology for the fiscal year beginning July
6 35 1, 2011, and ending June 30, 2012, the following
6 36 amount, or so much thereof as is necessary, to be used
6 37 for small business development centers, the science
6 38 and technology research park, and the institute for
6 39 physical research and technology, and for not more than
6 40 the following full-time equivalent positions:
6 41 \$ 2,424,302
6 42 FTEs 56.63
6 43 2. Of the moneys appropriated in subsection 1,
6 44 Iowa state university of science and technology shall
6 45 allocate at least \$936,345 for purposes of funding
6 46 small business development centers. Iowa state
6 47 university of science and technology may allocate
6 48 moneys appropriated in subsection 1 to the various
6 49 small business development centers in any manner
6 50 necessary to achieve the purposes of this subsection.



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7 1 3. Iowa state university of science and technology
7 2 shall do all of the following:
7 3 a. Direct expenditures for research toward projects
7 4 that will provide economic stimulus for Iowa.
7 5 b. Provide emphasis to providing services to
7 6 Iowa-based companies.
7 7 4. It is the intent of the general assembly
7 8 that the industrial incentive program focus on Iowa
7 9 industrial sectors and seek contributions and in-kind
7 10 donations from businesses, industrial foundations, and
7 11 trade associations, and that moneys for the institute
7 12 for physical research and technology industrial
7 13 incentive program shall be allocated only for projects
7 14 which are matched by private sector moneys for directed
7 15 contract research or for nondirected research. The
7 16 match required of small businesses as defined in
7 17 section 15.102, subsection 6, for directed contract
7 18 research or for nondirected research shall be \$1 for
7 19 each \$3 of state funds. The match required for other
7 20 businesses for directed contract research or for
7 21 nondirected research shall be \$1 for each \$1 of state
7 22 funds. The match required of industrial foundations
7 23 or trade associations shall be \$1 for each \$1 of state
7 24 funds.
7 25 Iowa state university of science and technology
7 26 shall report annually to the joint appropriations
7 27 subcommittee on economic development and the
7 28 legislative services agency the total amount of
7 29 private contributions, the proportion of contributions
7 30 from small businesses and other businesses, and
7 31 the proportion for directed contract research and
7 32 nondirected research of benefit to Iowa businesses and
7 33 industrial sectors.
7 34 5. Notwithstanding section 8.33, moneys
7 35 appropriated in this section that remain unencumbered
7 36 or unobligated at the close of the fiscal year shall
7 37 not revert but shall remain available for expenditure
7 38 for the purposes designated until the close of the
7 39 succeeding fiscal year.
7 40 Sec. 12. UNIVERSITY OF IOWA.
7 41 1. There is appropriated from the general fund
7 42 of the state to the state university of Iowa for the
7 43 fiscal year beginning July 1, 2011, and ending June
7 44 30, 2012, the following amount, or so much thereof
7 45 as is necessary, to be used for the state university
7 46 of Iowa research park and for the advanced drug
7 47 development program at the Oakdale research park,
7 48 including salaries, support, maintenance, equipment,
7 49 miscellaneous purposes, and for not more than the
7 50 following full-time equivalent positions:



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8 1 \$ 209,279
8 2 FTEs 6.00
8 3 2. The state university of Iowa shall do all of the
8 4 following:
8 5 a. Direct expenditures for research toward projects
8 6 that will provide economic stimulus for Iowa.
8 7 b. Provide emphasis to providing services to
8 8 Iowa-based companies.
8 9 3. Notwithstanding section 8.33, moneys
8 10 appropriated in this section that remain unencumbered
8 11 or unobligated at the close of the fiscal year shall
8 12 not revert but shall remain available for expenditure
8 13 for the purposes designated until the close of the
8 14 succeeding fiscal year.
8 15 Sec. 13. UNIVERSITY OF NORTHERN IOWA.
8 16 1. There is appropriated from the general fund of
8 17 the state to the university of northern Iowa for the
8 18 fiscal year beginning July 1, 2011, and ending June 30,
8 19 2012, the following amount, or so much thereof as is
8 20 necessary, to be used for the metal casting institute,
8 21 the MyEntreNet internet application, and the institute
8 22 of decision making, including salaries, support,
8 23 maintenance, miscellaneous purposes, and for not more
8 24 than the following full-time equivalent positions:
8 25 \$ 574,716
8 26 FTEs 6.75
8 27 2. Of the moneys appropriated pursuant to
8 28 subsection 1, the university of northern Iowa shall
8 29 allocate at least \$117,639 for purposes of support
8 30 of entrepreneurs through the university's regional
8 31 business center.
8 32 3. The university of northern Iowa shall do all of
8 33 the following:
8 34 a. Direct expenditures for research toward projects
8 35 that will provide economic stimulus for Iowa.
8 36 b. Provide emphasis to providing services to
8 37 Iowa-based companies.
8 38 4. Notwithstanding section 8.33, moneys
8 39 appropriated in this section that remain unencumbered
8 40 or unobligated at the close of the fiscal year shall
8 41 not revert but shall remain available for expenditure
8 42 for the purposes designated until the close of the
8 43 succeeding fiscal year.
8 44 Sec. 14. BOARD OF REGENTS REPORT. The state board
8 45 of regents shall submit a report on the progress of
8 46 regents institutions in meeting the strategic plan for
8 47 technology transfer and economic development to the
8 48 secretary of the senate, the chief clerk of the house
8 49 of representatives, and the legislative services agency
8 50 by January 15, 2012.



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9 1 Sec. 15. DEPARTMENT OF WORKFORCE
9 2 DEVELOPMENT. There is appropriated from the general
9 3 fund of the state to the department of workforce
9 4 development for the fiscal year beginning July 1, 2011,
9 5 and ending June 30, 2012, the following amounts, or
9 6 so much thereof as is necessary, for the purposes
9 7 designated:

9 8 1. DIVISION OF LABOR SERVICES

9 9 a. For the division of labor services, including
9 10 salaries, support, maintenance, miscellaneous
9 11 purposes, and for not more than the following full-time
9 12 equivalent positions:

9 13	\$	3,495,440
9 14	FTEs	64.00

9 15 b. From the contractor registration fees, the
9 16 division of labor services shall reimburse the
9 17 department of inspections and appeals for all costs
9 18 associated with hearings under chapter 91C, relating
9 19 to contractor registration.

9 20 2. DIVISION OF WORKERS' COMPENSATION

9 21 a. For the division of workers' compensation,
9 22 including salaries, support, maintenance, miscellaneous
9 23 purposes, and for not more than the following full-time
9 24 equivalent positions:

9 25	\$	3,066,768
9 26	FTEs	30.00

9 27 b. The division of workers' compensation shall
9 28 charge a \$100 filing fee for workers' compensation
9 29 cases. The filing fee shall be paid by the petitioner
9 30 of a claim. However, the fee can be taxed as a cost
9 31 and paid by the losing party, except in cases where
9 32 it would impose an undue hardship or be unjust under
9 33 the circumstances. The moneys generated by the filing
9 34 fee allowed under this subsection are appropriated to
9 35 the department of workforce development to be used for
9 36 purposes of administering the division of workers'
9 37 compensation.

9 38 3. WORKFORCE DEVELOPMENT OPERATIONS

9 39 a. For the operation of field offices, the
9 40 workforce development board, and for not more than the
9 41 following full-time equivalent positions:

9 42	\$	8,671,352
9 43	FTEs	130.00

9 44 b. Of the moneys appropriated in paragraph "a"
9 45 of this subsection, the department shall allocate
9 46 \$8,660,480 for the operation of field offices.

9 47 c. The department shall not reduce the number of
9 48 field offices below the number of field offices being
9 49 operated as of January 1, 2009.

9 50 4. OFFENDER REENTRY PROGRAM



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10 1 a. For the development and administration of an
10 2 offender reentry program to provide offenders with
10 3 employment skills, and for not more than the following
10 4 full-time equivalent positions:
10 5 \$ 284,464
10 6 FTEs 3.00
10 7 b. The department shall partner with the department
10 8 of corrections to provide staff within the correctional
10 9 facilities to improve offenders' abilities to find and
10 10 retain productive employment.
10 11 5. DEFINITIONS
10 12 For purposes of this section:
10 13 a. "Field office" means a satellite office of
10 14 a workforce development center through which the
10 15 workforce development center maintains a physical
10 16 presence in a county as described in section 84B.2.
10 17 For purposes of this paragraph, a workforce development
10 18 center maintains a physical presence in a county if the
10 19 center employs a staff person. "Field office" does not
10 20 include the presence of a workforce development center
10 21 maintained by electronic means.
10 22 b. "Workforce development center" means a center
10 23 at which state and federal employment and training
10 24 programs are colocated and at which services are
10 25 provided at a local level as described in section
10 26 84B.1.
10 27 6. NONREVERSION
10 28 Notwithstanding section 8.33, moneys appropriated in
10 29 this section that remain unencumbered or unobligated
10 30 at the close of the fiscal year shall not revert but
10 31 shall remain available for expenditure for the purposes
10 32 designated until the close of the succeeding fiscal
10 33 year.
10 34 Sec. 16. WORKERS' COMPENSATION CARRYFORWARD
10 35 APPROPRIATION.
10 36 1. There is appropriated from the general fund of
10 37 the state to the department of workforce development
10 38 for the fiscal year beginning July 1, 2010, and
10 39 ending June 30, 2011, the following amount, or so much
10 40 thereof as is necessary, to be used for the purposes
10 41 designated:
10 42 For expenditure in the fiscal year beginning July
10 43 1, 2011, for the division of workers' compensation,
10 44 including salaries, support, maintenance, and
10 45 miscellaneous purposes:
10 46 \$ 300,000
10 47 2. Notwithstanding section 8.33, moneys
10 48 appropriated in this section that remain unencumbered
10 49 or unobligated at the close of the fiscal year shall
10 50 not revert but shall remain available for expenditure



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11 1 for the purposes designated until the close of the
11 2 succeeding fiscal year.
11 3 Sec. 17. ACCOUNTABILITY ==== AUDIT. The auditor of
11 4 state shall annually conduct an audit of the department
11 5 of workforce development and shall report the findings
11 6 of such annual audit, including the accountability
11 7 of programs of the department, to the chairpersons
11 8 and ranking members of the joint appropriations
11 9 subcommittee on economic development. The department
11 10 shall pay for the costs associated with the audit.
11 11 Sec. 18. EMPLOYMENT SECURITY CONTINGENCY FUND.
11 12 1. There is appropriated from the special
11 13 employment security contingency fund to the department
11 14 of workforce development for the fiscal year beginning
11 15 July 1, 2011, and ending June 30, 2012, the following
11 16 amount, or so much thereof as is necessary, to be used
11 17 for field offices:
11 18 \$ 1,217,084
11 19 2. Any remaining additional penalty and interest
11 20 revenue collected by the department of workforce
11 21 development is appropriated to the department for the
11 22 fiscal year beginning July 1, 2011, and ending June 30,
11 23 2012, to accomplish the mission of the department.
11 24 Sec. 19. UNEMPLOYMENT COMPENSATION RESERVE FUND
11 25 ==== FIELD OFFICES. Notwithstanding section 96.9,
11 26 subsection 8, paragraph "e", there is appropriated
11 27 from interest earned on the unemployment compensation
11 28 reserve fund to the department of workforce development
11 29 for the fiscal year beginning July 1, 2011, and ending
11 30 June 30, 2012, the following amount or so much thereof
11 31 as is necessary, for the purposes designated:
11 32 For the operation of field offices:
11 33 \$ 4,238,260
11 34 Sec. 20. GENERAL FUND ==== EMPLOYEE MISCLASSIFICATION
11 35 PROGRAM. There is appropriated from the general fund
11 36 of the state to the department of workforce development
11 37 for the fiscal year beginning July 1, 2011, and
11 38 ending June 30, 2012, the following amount, or so much
11 39 thereof as is necessary, to be used for the purposes
11 40 designated:
11 41 For enhancing efforts to investigate employers that
11 42 misclassify workers and for not more than the following
11 43 full-time equivalent positions:
11 44 \$ 451,458
11 45 FTEs 8.10
11 46 Sec. 21. APPROPRIATIONS RESTRICTED. The department
11 47 of workforce development shall not use any of the
11 48 moneys appropriated in this division of this Act for
11 49 purposes of the national career readiness certificate
11 50 program.



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12 1 Sec. 22. IOWA FINANCE AUTHORITY.
12 2 1. There is appropriated from the general fund
12 3 of the state to the Iowa finance authority for the
12 4 fiscal year beginning July 1, 2011, and ending June 30,
12 5 2012, the following amount, or so much thereof as is
12 6 necessary, to be used to provide reimbursement for rent
12 7 expenses to eligible persons under the rent subsidy
12 8 program:
12 9 \$ 658,000
12 10 2. Participation in the rent subsidy program
12 11 shall be limited to only those persons who meet the
12 12 requirements for the nursing facility level of care for
12 13 home and community-based services waiver services as in
12 14 effect on July 1, 2011, and to those individuals who
12 15 are eligible for the federal money follows the person
12 16 grant program under the medical assistance program. Of
12 17 the moneys appropriated in this section, not more than
12 18 \$35,000 may be used for administrative costs.
12 19 Sec. 23. IOWA FINANCE AUTHORITY AUDIT. The auditor
12 20 of state is requested to review the audit of the Iowa
12 21 finance authority performed by the auditor hired by the
12 22 authority.
12 23 Sec. 24. PUBLIC EMPLOYMENT RELATIONS BOARD.
12 24 1. There is appropriated from the general fund of
12 25 the state to the public employment relations board for
12 26 the fiscal year beginning July 1, 2011, and ending June
12 27 30, 2012, the following amount, or so much thereof as
12 28 is necessary, for the purposes designated:
12 29 For salaries, support, maintenance, miscellaneous
12 30 purposes, and for not more than the following full-time
12 31 equivalent positions:
12 32 \$ 1,057,871
12 33 FTEs 10.00
12 34 2. Of the moneys appropriated in this section,
12 35 the board shall allocate \$15,000 for maintaining a
12 36 website that allows searchable access to a database of
12 37 collective bargaining information.
12 38 Sec. 25. UNEMPLOYMENT COMPENSATION PROGRAM. Notwithstanding
12 39 section 96.9, subsection 4, paragraph "a", moneys
12 40 credited to the state by the secretary of the treasury
12 41 of the United States pursuant to section 903 of
12 42 the Social Security Act are appropriated to the
12 43 department of workforce development and shall be
12 44 used by the department for the administration of
12 45 the unemployment compensation program only. This
12 46 appropriation shall not apply to any fiscal year
12 47 beginning after December 31, 2011.
12 48 Sec. 26. AGENCY APPEARANCES BEFORE APPROPRIATIONS
12 49 SUBCOMMITTEE. The directors, or the directors'
12 50 designees, of the Iowa finance authority and the



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13 1 department of economic development, and any successor
13 2 entities, shall annually appear before the members
13 3 of the joint subcommittee on economic development
13 4 appropriations and present a proposed budget. The
13 5 proposed budget shall include a detailed accounting of
13 6 all moneys received, from any source, and all moneys
13 7 expended, for any purpose, during the current fiscal
13 8 year and the prior fiscal year. The proposed budget
13 9 shall also include a detailed expenditure plan for such
13 10 moneys during the next fiscal year.

13 11 Sec. 27. EFFECTIVE UPON ENACTMENT ==== RETROACTIVE
13 12 APPLICABILITY. The section of this Act appropriating
13 13 moneys from the general fund of the state to the
13 14 department of workforce development in the fiscal
13 15 year beginning July 1, 2010, for expenditure for the
13 16 fiscal year beginning July 1, 2011, for the division
13 17 of workers' compensation, being deemed of immediate
13 18 importance, takes effect upon enactment, and if
13 19 approved by the governor after July 1, 2011, applies
13 20 retroactively to June 30, 2011.

13 21 DIVISION II

13 22 MISCELLANEOUS PROVISIONS

13 23 Sec. 28. Section 15.301, subsection 1, paragraph
13 24 c, subparagraph (1), Code 2011, is amended to read as
13 25 follows:

13 26 (1) If, on March 31, 2011, there are unobligated
13 27 moneys in the fund, such unobligated moneys shall
13 28 ~~revert to the general fund of the state be transferred~~
13 29 ~~and appropriated to the department of workforce~~
13 30 ~~development for the fiscal year beginning July 1, 2011,~~
13 31 ~~for purposes of providing funding for field offices.~~

13 32 Sec. 29. Section 15E.117, subsection 3, paragraph
13 33 b, Code 2011, is amended by striking the paragraph.

13 34 Sec. 30. Section 16.41, subsection 1, Code 2011, is
13 35 amended to read as follows:

13 36 1. A shelter assistance fund is created as a
13 37 revolving fund in the state treasury under the control
13 38 of the authority consisting of any moneys appropriated
13 39 by the general assembly and received under section
13 40 428A.8 for purposes of the rehabilitation, expansion,
13 41 or costs of operations of group home shelters for the
13 42 homeless and domestic violence shelters, evaluation
13 43 of services for the homeless, and match moneys for
13 44 federal funds for the homeless management information
13 45 system. Each fiscal year, moneys in the fund, in an
13 46 amount equal to not more than two percent of the total
13 47 moneys distributed as grants from the fund during the
13 48 fiscal year, may be used for purposes of administering
13 49 the fund.

13 50 Sec. 31. Section 123.183, subsection 2, paragraph



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14 1 b, Code 2011, is amended by striking the paragraph and
14 2 inserting in lieu thereof the following:
14 3 b. (1) A wine gallonage tax fund is created in the
14 4 office of the treasurer of state.
14 5 (2) Moneys deposited in the fund are appropriated
14 6 as follows:
14 7 (a) To the midwest grape and wine industry
14 8 institute at Iowa state university of science and
14 9 technology, one hundred twenty thousand dollars.
14 10 (b) To the department of economic development for
14 11 purposes of section 15E.117, the balance of moneys
14 12 in the fund after the appropriation in subparagraph
14 13 subdivision (a).
14 14 (3) Moneys in the fund and moneys appropriated from
14 15 the fund pursuant to subparagraph (2) are not subject
14 16 to reversion under section 8.33.
14 17 Sec. 32. Section 404A.1, subsection 2, paragraph d,
14 18 as enacted by 2011 Iowa Acts, Senate File 521, section
14 19 1, is amended to read as follows:
14 20 d. "Rehabilitation period" means the period of time
14 21 during which an eligible property is rehabilitated
14 22 commencing from the date on which the first qualified
14 23 rehabilitation cost is incurred and ending with the end
14 24 of the taxable year in which the property is placed
14 25 in service. A project's rehabilitation period may
14 26 include dates that precede approval of a project under
14 27 section 404A.3, but any costs incurred prior to such
14 28 approval must be qualified rehabilitation ~~expenditures~~
~~14 29 as defined in section 47(c)(2) of the Internal Revenue~~
~~14 30 Code in order to be qualified rehabilitation costs~~
~~14 31 under this~~
14 32 ~~chapter~~ costs.
14 33 Sec. 33. Section 427.1, subsection 21, Code 2011,
14 34 is amended to read as follows:
14 35 21. Low=rent housing. The property owned and
14 36 operated or controlled by a nonprofit organization, as
14 37 recognized by the internal revenue service, providing
14 38 low=rent housing for persons who are elderly and
14 39 persons with physical and mental disabilities. For
14 40 the purposes of this subsection, the controlling
14 41 nonprofit entity may serve as a general partner or
14 42 managing member of a limited liability company or
14 43 limited liability partnership which owns the property.
~~14 44~~ The exemption granted under the provisions of this
14 45 subsection shall apply only until the final payment
14 46 due date of the borrower's original low=rent housing
14 47 development mortgage or until the borrower's original
14 48 low=rent housing development mortgage is paid in
14 49 full or expires, whichever is sooner, subject to
14 50 the provisions of subsection 14. However, if the



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15 1 borrower's original low=rent housing development
15 2 mortgage is refinanced, the exemption shall apply
15 3 only until the date that would have been the final
15 4 payment due date under the terms of the borrower's
15 5 original low=rent housing development mortgage or until
15 6 the refinanced mortgage is paid in full or expires,
15 7 whichever is sooner, subject to the provisions of
15 8 subsection 14.

15 9 Sec. 34. 2008 Iowa Acts, chapter 1190, section 30,
15 10 subsection 3, is amended to read as follows:

15 11 3. As part of the plan, the department of workforce
15 12 development shall set a goal of having at least one
15 13 certified one=stop center in each of the fifteen
15 14 workforce regions by the year ~~2012~~ 2014.

15 15 Sec. 35. 2010 Iowa Acts, chapter 1184, section
15 16 37, is amended by adding the following new unnumbered
15 17 paragraph:

15 18 NEW UNNUMBERED PARAGRAPH Notwithstanding section
15 19 8.33, moneys appropriated in this section shall not
15 20 revert at the close of the fiscal year for which they
15 21 are appropriated but shall remain available for the
15 22 purposes designated until the close of the fiscal year
15 23 that begins July 1, 2011. The full=time equivalent
15 24 position authorized in this section shall continue to
15 25 be authorized until the close of the fiscal year that
15 26 begins July 1, 2011.

15 27 Sec. 36. 2010 Iowa Acts, chapter 1193, section 88,
15 28 is amended to read as follows:

15 29 SEC. 88. TAIWAN TRADE OFFICE ==== IOWA COMPREHENSIVE
15 30 PETROLEUM UNDERGROUND STORAGE TANK FUND. There is
15 31 appropriated from the Iowa comprehensive petroleum
15 32 underground storage tank fund to the department of
15 33 economic development for the fiscal year beginning
15 34 July 1, 2010, and ending June 30, 2011, the following
15 35 amount, or so much thereof as is necessary, to be used
15 36 for the purposes designated:

15 37 Notwithstanding section 455G.3, subsection 1, for
15 38 establishing a trade office in Taipei, Taiwan:

15 39 \$ 100,000

15 40 Notwithstanding section 8.33, moneys appropriated
15 41 in this section shall not revert at the close of the
15 42 fiscal year for which they are appropriated but shall
15 43 remain available for the purposes designated until the
15 44 close of the fiscal year that begins July 1, 2011.

15 45 If the department cannot arrange for matching moneys
15 46 from another source by June 30, 2012, in an amount at
15 47 least equal to the appropriation made in this section,
15 48 the moneys appropriated in this section shall revert to
15 49 the Iowa comprehensive petroleum underground storage
15 50 tank fund.



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16 1 Sec. 37. EFFECTIVE UPON ENACTMENT ==== RETROACTIVE
16 2 APPLICABILITY.

16 3 1. The section of this division of this Act
16 4 amending section 15.301, being deemed of immediate
16 5 importance, takes effect upon enactment and applies
16 6 retroactively to March 30, 2011.

16 7 2. The section of this division of this Act
16 8 amending section 404A.1, subsection 2, being deemed of
16 9 immediate importance, takes effect upon enactment and
16 10 applies retroactively to July 1, 2009, for projects
16 11 approved and tax credits reserved on or after that
16 12 date.

16 13 3. The sections of this division of this Act
16 14 amending 2010 Iowa Acts, chapter 1193, and 2010
16 15 Iowa Acts, chapter 1184, being deemed of immediate
16 16 importance, take effect upon enactment, and if approved
16 17 by the governor on or after July 1, 2011, apply
16 18 retroactively to June 30, 2011.

16 19 DIVISION III

16 20 TAX CREDITS

16 21 Sec. 38. Section 15.119, subsection 2, Code 2011,
16 22 is amended to read as follows:

16 23 2. The department, with the approval of the board,
16 24 shall adopt by rule a procedure for allocating the
16 25 aggregate tax credit limit established in this section
16 26 among the following programs ~~administered by the~~
16 27 ~~department:~~

16 28 a. The high quality job creation program
16 29 administered pursuant to sections 15.326 through
16 30 15.336.

16 31 b. The film, television, and video project
16 32 promotion program administered pursuant to sections
16 33 15.391 through 15.393.

16 34 c. The corporate tax research credit under the
16 35 quality jobs enterprise zone program pursuant to
16 36 section 15A.9, subsection 8.

16 37 d. The enterprise zones program administered
16 38 pursuant to sections 15E.191 through 15E.197.

16 39 e. The assistive device tax credit program
16 40 administered pursuant to section 422.11E and section
16 41 422.33, subsection 9.

16 42 f. The tax credits for investments in qualifying
16 43 businesses and community-based seed capital funds
16 44 issued pursuant to section 15E.43. In allocating tax
16 45 credits pursuant to this subsection, the department
16 46 shall allocate two million dollars for purposes of this
16 47 paragraph.

16 48 g. The tax credits for investments in an innovation
16 49 fund pursuant to section 15E.52. In allocating tax
16 50 credits pursuant to this subsection, the department



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17 1 shall allocate eight million dollars for purposes of
17 2 this paragraph.

17 3 Sec. 39. Section 15E.42, subsection 2, Code 2011,
17 4 is amended to read as follows:

17 5 2. "Board" means the ~~Iowa capital investment~~
~~17 6 economic development board created in section 15E.63~~
~~17 7 15.103.~~

17 8 Sec. 40. Section 15E.43, subsection 4, Code 2011,
17 9 is amended by striking the subsection and inserting in
17 10 lieu thereof the following:

17 11 4. The board shall not issue tax credits under
17 12 this section in excess of the amount approved by the
17 13 department for any one fiscal year pursuant to section
17 14 15.119.

17 15 Sec. 41. Section 15E.44, subsection 2, paragraphs d
17 16 and e, Code 2011, are amended to read as follows:

17 17 d. The business is not a business engaged primarily
17 18 in retail sales, real estate, or the provision of
17 19 health care or other ~~professional~~ services that require
17 20 a professional license.

17 21 e. The business shall not have a net worth that
17 22 exceeds ~~ten~~ five million dollars.

17 23 Sec. 42. NEW SECTION. 15E.52 Innovation fund
17 24 investment tax credits.

17 25 1. For purposes of this section, unless the context
17 26 otherwise requires:

17 27 a. "Board" means the same as defined in section
17 28 15.102.

17 29 b. "Innovation fund" means one or more early-stage
17 30 capital funds certified by the board.

17 31 c. "Innovative business" means a business applying
17 32 novel or original methods to the manufacture of a
17 33 product or the delivery of a service. "Innovative
17 34 business" includes but is not limited to a business
17 35 engaged in a targeted industry as defined in section
17 36 15.411.

17 37 2. a. A tax credit shall be allowed against the
17 38 taxes imposed in chapter 422, divisions II, III, and V,
17 39 and in chapter 432, and against the moneys and credits
17 40 tax imposed in section 533.329, for a portion of a
17 41 taxpayer's equity investment in the form of cash in an
17 42 innovation fund.

17 43 b. An individual may claim a tax credit under this
17 44 section of a partnership, limited liability company,
17 45 S corporation, estate, or trust electing to have
17 46 income taxed directly to the individual. The amount
17 47 claimed by the individual shall be based upon the
17 48 pro rata share of the individual's earnings from the
17 49 partnership, limited liability company, S corporation,
17 50 estate, or trust.



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18 1 3. The amount of a tax credit allowed under this
18 2 section shall equal twenty percent of the taxpayer's
18 3 equity investment in an innovation fund.
18 4 4. A taxpayer shall not claim a tax credit under
18 5 this section if the taxpayer is a venture capital
18 6 investment fund allocation manager for the Iowa fund
18 7 of funds created in section 15E.65 or an investor that
18 8 receives a tax credit for the same investment in a
18 9 qualifying business as described in section 15E.44 or
18 10 in a community-based seed capital fund as described in
18 11 section 15E.45.
18 12 5. a. The board shall issue certificates under
18 13 this section which may be redeemed for tax credits.
18 14 The board shall issue such certificates so that not
18 15 more than the amount allocated for such tax credits
18 16 under section 15.119, subsection 2, may be claimed.
18 17 The certificates shall not be transferable.
18 18 b. The board shall, in cooperation with the
18 19 department of revenue, establish criteria and
18 20 procedures for the allocation and issuance of tax
18 21 credits by means of certificates issued by the board.
18 22 The criteria shall include the contingencies that must
18 23 be met for a certificate to be redeemable in order
18 24 to receive a tax credit. The procedures established
18 25 by the board, in cooperation with the department
18 26 of revenue, shall relate to the procedures for the
18 27 issuance of the certificates and for the redemption of
18 28 a certificate and related tax credit.
18 29 6. A taxpayer shall not redeem a certificate
18 30 and related tax credit prior to the third tax year
18 31 following the tax year in which the investment is
18 32 made. Any tax credit in excess of the taxpayer's
18 33 liability for the tax year may be credited to the
18 34 tax liability for the following five years or until
18 35 depleted, whichever is earlier. A tax credit shall not
18 36 be carried back to a tax year prior to the tax year in
18 37 which the taxpayer claims the tax credit.
18 38 7. An innovation fund shall submit an application
18 39 for certification to the board. The board shall
18 40 approve the application and certify the innovation fund
18 41 if all of the following criteria are met:
18 42 a. The fund is organized for the purposes of making
18 43 investments in promising early-stage companies which
18 44 have a principal place of business in the state and for
18 45 using the profits from such investments to fund further
18 46 investments.
18 47 b. The fund proposes to make investments in
18 48 innovative businesses.
18 49 c. The fund seeks to secure private funding sources
18 50 for investment in such businesses.



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19 1 Sec. 43. NEW SECTION. 422.11Y Innovation fund
19 2 investment tax credits.
19 3 The taxes imposed under this division, less the
19 4 credits allowed under section 422.12, shall be reduced
19 5 by an innovation fund investment tax credit allowed
19 6 under section 15E.52.

19 7 Sec. 44. Section 422.33, Code 2011, is amended by
19 8 adding the following new subsection:

19 9 NEW SUBSECTION. 13. The taxes imposed under
19 10 this division shall be reduced by an innovation fund
19 11 investment tax credit allowed under section 15E.52.

19 12 Sec. 45. Section 422.60, Code 2011, is amended by
19 13 adding the following new subsection:

19 14 NEW SUBSECTION. 13. The taxes imposed under
19 15 this division shall be reduced by an innovation fund
19 16 investment tax credit allowed under section 15E.52.

19 17 Sec. 46. NEW SECTION. 432.12M Innovation fund
19 18 investment tax credit.

19 19 The taxes imposed under this chapter shall be
19 20 reduced by an innovation fund investment tax credit
19 21 allowed under section 15E.52.

19 22 Sec. 47. Section 533.329, subsection 2, Code 2011,
19 23 is amended by adding the following new paragraph:

19 24 NEW PARAGRAPH. 1. The moneys and credits tax
19 25 imposed under this section shall be reduced by an
19 26 innovation fund investment tax credit allowed under
19 27 section 15E.52.

19 28 Sec. 48. CODE EDITOR DIRECTIVE. If 2011 Iowa Acts,
19 29 House File 590, is enacted, the Code editor is directed
19 30 to change references in this Act from "economic
19 31 development board" to "economic development authority."

19 32 Sec. 49. RETROACTIVE APPLICABILITY. This division
19 33 of this Act applies retroactively to January 1, 2011,
19 34 for tax years beginning and investments made on or
19 35 after that date.

19 36 DIVISION IV

19 37 FY 2012=2013

19 38 Sec. 50. DEPARTMENT OF CULTURAL AFFAIRS. There
19 39 is appropriated from the general fund of the state to
19 40 the department of cultural affairs for the fiscal year
19 41 beginning July 1, 2012, and ending June 30, 2013, the
19 42 following amounts, or so much thereof as is necessary,
19 43 to be used for the purposes designated:

19 44 1. ADMINISTRATION

19 45 For salaries, support, maintenance, miscellaneous
19 46 purposes, and for not more than the following full-time
19 47 equivalent positions for the department:

19 48 \$ 90,907

19 49 FTEs	74.50
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19 50 The department of cultural affairs shall coordinate



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20 1 activities with the tourism office of the department of
20 2 economic development to promote attendance at the state
20 3 historical building and at this state's historic sites.
20 4 Full-time equivalent positions authorized under
20 5 this subsection shall be funded, in full or in part,
20 6 using moneys appropriated under this subsection and
20 7 subsections 3 through 7.
20 8 2. COMMUNITY CULTURAL GRANTS
20 9 For planning and programming for the community
20 10 cultural grants program established under section
20 11 303.3:
20 12 \$ 86,045
20 13 3. HISTORICAL DIVISION
20 14 For the support of the historical division:
20 15 \$ 1,383,851
20 16 4. HISTORIC SITES
20 17 For the administration and support of historic
20 18 sites:
20 19 \$ 213,199
20 20 5. ARTS DIVISION
20 21 For the support of the arts division:
20 22 \$ 466,882
20 23 6. IOWA GREAT PLACES
20 24 For the Iowa great places program established under
20 25 section 303.3C:
20 26 \$ 96,912
20 27 7. ARCHIVE IOWA GOVERNORS' RECORDS
20 28 For archiving the records of Iowa governors:
20 29 \$ 32,967
20 30 8. RECORDS CENTER RENT
20 31 For payment of rent for the state records center:
20 32 \$ 113,622
20 33 9. BATTLE FLAGS
20 34 For continuation of the project recommended by the
20 35 Iowa battle flag advisory committee to stabilize the
20 36 condition of the battle flag collection:
20 37 \$ 30,000
20 38 Sec. 51. GOALS AND ACCOUNTABILITY ==== ECONOMIC
20 39 DEVELOPMENT.
20 40 1. For the fiscal year beginning July 1, 2012, the
20 41 goals for the department of economic development shall
20 42 be to expand and stimulate the state economy, increase
20 43 the wealth of Iowans, and increase the population of
20 44 the state.
20 45 2. To achieve the goals in subsection 1, the
20 46 department of economic development shall do all of the
20 47 following for the fiscal year beginning July 1, 2012:
20 48 a. Concentrate its efforts on programs and
20 49 activities that result in commercially viable products
20 50 and services.



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21 1 b. Adopt practices and services consistent with
21 2 free market, private sector philosophies.
21 3 c. Ensure economic growth and development
21 4 throughout the state.
21 5 d. Work with businesses and communities to
21 6 continually improve the economic development climate
21 7 along with the economic well-being and quality of life
21 8 for Iowans.
21 9 e. Coordinate with other state agencies to
21 10 ensure that they are attentive to the needs of an
21 11 entrepreneurial culture.
21 12 f. Establish a strong and aggressive marketing
21 13 image to showcase Iowa's workforce, existing industry,
21 14 and potential. A priority shall be placed on
21 15 recruiting new businesses, business expansion, and
21 16 retaining existing Iowa businesses. Emphasis shall be
21 17 placed on entrepreneurial development through helping
21 18 entrepreneurs secure capital, and developing networks
21 19 and a business climate conducive to entrepreneurs and
21 20 small businesses.
21 21 g. Encourage the development of communities and
21 22 quality of life to foster economic growth.
21 23 h. Prepare communities for future growth and
21 24 development through development, expansion, and
21 25 modernization of infrastructure.
21 26 i. Develop public-private partnerships with
21 27 Iowa businesses in the tourism industry, Iowa tour
21 28 groups, Iowa tourism organizations, and political
21 29 subdivisions in this state to assist in the development
21 30 of advertising efforts.
21 31 j. Develop, to the fullest extent possible,
21 32 cooperative efforts for advertising with contributions
21 33 from other sources.
21 34 Sec. 52. DEPARTMENT OF ECONOMIC DEVELOPMENT.
21 35 1. APPROPRIATION
21 36 There is appropriated from the general fund of the
21 37 state to the department of economic development for the
21 38 fiscal year beginning July 1, 2012, and ending June
21 39 30, 2013, the following amounts, or so much thereof as
21 40 is necessary, to be used for the purposes designated
21 41 in subsection 2, and for not more than the following
21 42 full-time equivalent positions:
21 43 \$ 4,819,395
21 44 FTEs 149.00
21 45 2. DESIGNATED PURPOSES
21 46 a. For salaries, support, miscellaneous purposes,
21 47 programs, and the maintenance of an administration
21 48 division, a business development division, and a
21 49 community development division.
21 50 b. The full-time equivalent positions authorized



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22 1 under this section shall be funded, in whole or in
22 2 part, by the moneys appropriated under subsection 1 or
22 3 by other moneys received by the department, including
22 4 certain federal moneys.
22 5 c. For business development operations and
22 6 programs, the film office, international trade, export
22 7 assistance, workforce recruitment, and the partner
22 8 state program.
22 9 d. For transfer to the strategic investment fund
22 10 created in section 15.313.
22 11 e. For transfer to the grow Iowa values fund
22 12 created in section 15G.111.
22 13 f. For community economic development programs,
22 14 tourism operations, community assistance, plans
22 15 for Iowa green corps and summer youth programs,
22 16 the mainstreet and rural mainstreet programs, the
22 17 school-to-career program, the community development
22 18 block grant, and housing and shelter-related programs.
22 19 g. For achieving the goals and accountability, and
22 20 fulfilling the requirements and duties required under
22 21 this Act.
22 22 3. NONREVERSION
22 23 Notwithstanding section 8.33, moneys appropriated in
22 24 subsection 1 that remain unencumbered or unobligated
22 25 at the close of the fiscal year shall not revert but
22 26 shall remain available for expenditure for the purposes
22 27 designated in subsection 2 until the close of the
22 28 succeeding fiscal year.
22 29 4. FINANCIAL ASSISTANCE RESTRICTIONS
22 30 a. A business creating jobs through moneys
22 31 appropriated in this section shall be subject to
22 32 contract provisions requiring new and retained jobs to
22 33 be filled by individuals who are citizens of the United
22 34 States who reside within the United States or any
22 35 person authorized to work in the United States pursuant
22 36 to federal law, including legal resident aliens in the
22 37 United States.
22 38 b. Any vendor who receives moneys appropriated in
22 39 this section shall adhere to such contract provisions
22 40 and provide periodic assurances as the state shall
22 41 require that the jobs are filled solely by citizens of
22 42 the United States who reside within the United States
22 43 or any person authorized to work in the United States
22 44 pursuant to federal law, including legal resident
22 45 aliens in the United States.
22 46 c. A business that receives financial assistance
22 47 from the department from moneys appropriated in
22 48 this section shall only employ individuals legally
22 49 authorized to work in this state. In addition to all
22 50 other applicable penalties provided by current law, all



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23 1 or a portion of the assistance received by a business
23 2 which is found to knowingly employ individuals not
23 3 legally authorized to work in this state is subject to
23 4 recapture by the department.

23 5 5. USES OF APPROPRIATIONS

23 6 a. From the moneys appropriated in this section,
23 7 the department may provide financial assistance in the
23 8 form of a grant to a community economic development
23 9 entity for conducting a local workforce recruitment
23 10 effort designed to recruit former citizens of the state
23 11 and former students at colleges and universities in the
23 12 state to meet the needs of local employers.

23 13 b. From the moneys appropriated in this section,
23 14 the department may provide financial assistance to
23 15 early stage industry companies being established by
23 16 women entrepreneurs.

23 17 c. From the moneys appropriated in this section,
23 18 the department may provide financial assistance in the
23 19 form of grants, loans, or forgivable loans for advanced
23 20 research and commercialization projects involving
23 21 value-added agriculture, advanced technology, or
23 22 biotechnology.

23 23 d. The department shall not use any moneys
23 24 appropriated in this section for purposes of providing
23 25 financial assistance for the Iowa green streets pilot
23 26 project or for any other program or project that
23 27 involves the installation of geothermal systems for
23 28 melting snow and ice from streets or sidewalks.

23 29 6. WORLD FOOD PRIZE

23 30 For allocating moneys for the world food prize and
23 31 notwithstanding the standing appropriation in section
23 32 15.368, subsection 1:

23 33 \$ 250,000

23 34 7. IOWA COMMISSION ON VOLUNTEER SERVICE

23 35 For allocation to the Iowa commission on volunteer
23 36 service for the Iowa's promise and mentoring
23 37 partnership programs, for transfer to the Iowa state
23 38 commission grant program, and for not more than the
23 39 following full-time equivalent positions:

23 40 \$ 89,067

23 41 FTEs 7.00

23 42 Of the moneys appropriated in this subsection, the
23 43 department shall allocate \$37,500 for purposes of
23 44 the Iowa state commission grant program and \$51,567
23 45 for purposes of the Iowa's promise and mentoring
23 46 partnership programs.

23 47 Notwithstanding section 8.33, moneys appropriated in
23 48 this subsection that remain unencumbered or unobligated
23 49 at the close of the fiscal year shall not revert but
23 50 shall remain available for expenditure for the purposes



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24 1 designated until the close of the succeeding fiscal
24 2 year.
24 3 Sec. 53. VISION IOWA PROGRAM ==== FTE
24 4 AUTHORIZATION. For purposes of administrative
24 5 duties associated with the vision Iowa program for the
24 6 fiscal year beginning July 1, 2012, the department of
24 7 economic development is authorized an additional 2.25
24 8 FTEs above those otherwise authorized in this division
24 9 of this Act.
24 10 Sec. 54. INSURANCE ECONOMIC DEVELOPMENT. From
24 11 the moneys collected by the division of insurance in
24 12 excess of the anticipated gross revenues under section
24 13 505.7, subsection 3, during the fiscal year beginning
24 14 July 1, 2012, \$100,000 shall be transferred to the
24 15 department of economic development for insurance
24 16 economic development and international insurance
24 17 economic development.
24 18 Sec. 55. COMMUNITY DEVELOPMENT LOAN
24 19 FUND. Notwithstanding section 15E.120, subsection
24 20 5, there is appropriated from the Iowa community
24 21 development loan fund all moneys available during the
24 22 fiscal year beginning July 1, 2012, and ending June 30,
24 23 2013, to the department of economic development for
24 24 purposes of the community development program.
24 25 Sec. 56. WORKFORCE DEVELOPMENT FUND. There is
24 26 appropriated from the workforce development fund
24 27 account created in section 15.342A to the workforce
24 28 development fund created in section 15.343 for the
24 29 fiscal year beginning July 1, 2012, and ending June
24 30 30, 2013, the following amount, for purposes of the
24 31 workforce development fund:
24 32 \$ 2,000,000
24 33 Sec. 57. WORKFORCE DEVELOPMENT
24 34 ADMINISTRATION. From moneys appropriated or
24 35 transferred to or receipts credited to the workforce
24 36 development fund created in section 15.343, up to
24 37 \$400,000 for the fiscal year beginning July 1,
24 38 2012, and ending June 30, 2013, are appropriated
24 39 to the department of economic development for the
24 40 administration of workforce development activities
24 41 including salaries, support, maintenance, and
24 42 miscellaneous purposes, and for not more than the
24 43 following full-time equivalent positions:
24 44 FTEs 4.00
24 45 Sec. 58. JOB TRAINING FUND. Notwithstanding
24 46 section 15.251, all moneys in the job training fund on
24 47 July 1, 2012, and any moneys appropriated or credited
24 48 to the fund during the fiscal year beginning July 1,
24 49 2012, shall be transferred to the workforce development
24 50 fund established pursuant to section 15.343.



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House Amendment 1745 continued

25 1 Sec. 59. IOWA STATE UNIVERSITY.
25 2 1. There is appropriated from the general fund
25 3 of the state to Iowa state university of science
25 4 and technology for the fiscal year beginning July
25 5 1, 2012, and ending June 30, 2013, the following
25 6 amount, or so much thereof as is necessary, to be used
25 7 for small business development centers, the science
25 8 and technology research park, and the institute for
25 9 physical research and technology, and for not more than
25 10 the following full-time equivalent positions:
25 11 \$ 1,212,151
25 12 FTEs 56.63
25 13 2. Of the moneys appropriated in subsection 1,
25 14 Iowa state university of science and technology shall
25 15 allocate at least \$468,178 for purposes of funding
25 16 small business development centers. Iowa state
25 17 university of science and technology may allocate
25 18 moneys appropriated in subsection 1 to the various
25 19 small business development centers in any manner
25 20 necessary to achieve the purposes of this subsection.
25 21 3. Iowa state university of science and technology
25 22 shall do all of the following:
25 23 a. Direct expenditures for research toward projects
25 24 that will provide economic stimulus for Iowa.
25 25 b. Provide emphasis to providing services to
25 26 Iowa-based companies.
25 27 4. It is the intent of the general assembly
25 28 that the industrial incentive program focus on Iowa
25 29 industrial sectors and seek contributions and in-kind
25 30 donations from businesses, industrial foundations, and
25 31 trade associations, and that moneys for the institute
25 32 for physical research and technology industrial
25 33 incentive program shall be allocated only for projects
25 34 which are matched by private sector moneys for directed
25 35 contract research or for nondirected research. The
25 36 match required of small businesses as defined in
25 37 section 15.102, subsection 6, for directed contract
25 38 research or for nondirected research shall be \$1 for
25 39 each \$3 of state funds. The match required for other
25 40 businesses for directed contract research or for
25 41 nondirected research shall be \$1 for each \$1 of state
25 42 funds. The match required of industrial foundations
25 43 or trade associations shall be \$1 for each \$1 of state
25 44 funds.
25 45 Iowa state university of science and technology
25 46 shall report annually to the joint appropriations
25 47 subcommittee on economic development and the
25 48 legislative services agency the total amount of
25 49 private contributions, the proportion of contributions
25 50 from small businesses and other businesses, and



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House Amendment 1745 continued

26 1 the proportion for directed contract research and
26 2 nondirected research of benefit to Iowa businesses and
26 3 industrial sectors.
26 4 5. Notwithstanding section 8.33, moneys
26 5 appropriated in this section that remain unencumbered
26 6 or unobligated at the close of the fiscal year shall
26 7 not revert but shall remain available for expenditure
26 8 for the purposes designated until the close of the
26 9 succeeding fiscal year.
26 10 Sec. 60. UNIVERSITY OF IOWA.
26 11 1. There is appropriated from the general fund
26 12 of the state to the state university of Iowa for the
26 13 fiscal year beginning July 1, 2012, and ending June
26 14 30, 2013, the following amount, or so much thereof
26 15 as is necessary, to be used for the state university
26 16 of Iowa research park and for the advanced drug
26 17 development program at the Oakdale research park,
26 18 including salaries, support, maintenance, equipment,
26 19 miscellaneous purposes, and for not more than the
26 20 following full-time equivalent positions:
26 21 \$ 104,640
26 22 FTEs 6.00
26 23 2. The state university of Iowa shall do all of the
26 24 following:
26 25 a. Direct expenditures for research toward projects
26 26 that will provide economic stimulus for Iowa.
26 27 b. Provide emphasis to providing services to
26 28 Iowa-based companies.
26 29 3. Notwithstanding section 8.33, moneys
26 30 appropriated in this section that remain unencumbered
26 31 or unobligated at the close of the fiscal year shall
26 32 not revert but shall remain available for expenditure
26 33 for the purposes designated until the close of the
26 34 succeeding fiscal year.
26 35 Sec. 61. UNIVERSITY OF NORTHERN IOWA.
26 36 1. There is appropriated from the general fund of
26 37 the state to the university of northern Iowa for the
26 38 fiscal year beginning July 1, 2012, and ending June 30,
26 39 2013, the following amount, or so much thereof as is
26 40 necessary, to be used for the metal casting institute,
26 41 the MyEntreNet internet application, and the institute
26 42 of decision making, including salaries, support,
26 43 maintenance, miscellaneous purposes, and for not more
26 44 than the following full-time equivalent positions:
26 45 \$ 287,358
26 46 FTEs 6.75
26 47 2. Of the moneys appropriated pursuant to
26 48 subsection 1, the university of northern Iowa shall
26 49 allocate at least \$58,820 for purposes of support
26 50 of entrepreneurs through the university's regional



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House Amendment 1745 continued

27 1 business center.
27 2 3. The university of northern Iowa shall do all of
27 3 the following:
27 4 a. Direct expenditures for research toward projects
27 5 that will provide economic stimulus for Iowa.
27 6 b. Provide emphasis to providing services to
27 7 Iowa-based companies.
27 8 4. Notwithstanding section 8.33, moneys
27 9 appropriated in this section that remain unencumbered
27 10 or unobligated at the close of the fiscal year shall
27 11 not revert but shall remain available for expenditure
27 12 for the purposes designated until the close of the
27 13 succeeding fiscal year.
27 14 Sec. 62. BOARD OF REGENTS REPORT. The state board
27 15 of regents shall submit a report on the progress of
27 16 regents institutions in meeting the strategic plan for
27 17 technology transfer and economic development to the
27 18 secretary of the senate, the chief clerk of the house
27 19 of representatives, and the legislative services agency
27 20 by January 15, 2013.
27 21 Sec. 63. DEPARTMENT OF WORKFORCE
27 22 DEVELOPMENT. There is appropriated from the general
27 23 fund of the state to the department of workforce
27 24 development for the fiscal year beginning July 1, 2012,
27 25 and ending June 30, 2013, the following amounts, or
27 26 so much thereof as is necessary, for the purposes
27 27 designated:
27 28 1. DIVISION OF LABOR SERVICES
27 29 a. For the division of labor services, including
27 30 salaries, support, maintenance, miscellaneous
27 31 purposes, and for not more than the following full-time
27 32 equivalent positions:
27 33 \$ 1,747,720
27 34 FTEs 64.00
27 35 b. From the contractor registration fees, the
27 36 division of labor services shall reimburse the
27 37 department of inspections and appeals for all costs
27 38 associated with hearings under chapter 91C, relating
27 39 to contractor registration.
27 40 2. DIVISION OF WORKERS' COMPENSATION
27 41 a. For the division of workers' compensation,
27 42 including salaries, support, maintenance, miscellaneous
27 43 purposes, and for not more than the following full-time
27 44 equivalent positions:
27 45 \$ 1,533,384
27 46 FTEs 30.00
27 47 b. The division of workers' compensation shall
27 48 charge a \$100 filing fee for workers' compensation
27 49 cases. The filing fee shall be paid by the petitioner
27 50 of a claim. However, the fee can be taxed as a cost



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28 1 and paid by the losing party, except in cases where
28 2 it would impose an undue hardship or be unjust under
28 3 the circumstances. The moneys generated by the filing
28 4 fee allowed under this subsection are appropriated to
28 5 the department of workforce development to be used for
28 6 purposes of administering the division of workers'
28 7 compensation.

28 8 3. WORKFORCE DEVELOPMENT OPERATIONS

28 9 a. For the operation of field offices, the
28 10 workforce development board, and for not more than the
28 11 following full-time equivalent positions:

28 12	\$	4,335,676
28 13	FTEs	130.00

28 14 b. Of the moneys appropriated in paragraph "a"
28 15 of this subsection, the department shall allocate
28 16 \$4,330,240 for the operation of field offices.

28 17 c. The department shall not reduce the number of
28 18 field offices below the number of field offices being
28 19 operated as of January 1, 2009.

28 20 4. OFFENDER REENTRY PROGRAM

28 21 a. For the development and administration of an
28 22 offender reentry program to provide offenders with
28 23 employment skills, and for not more than the following
28 24 full-time equivalent positions:

28 25	\$	142,232
28 26	FTEs	3.00

28 27 b. The department shall partner with the department
28 28 of corrections to provide staff within the correctional
28 29 facilities to improve offenders' abilities to find and
28 30 retain productive employment.

28 31 5. DEFINITIONS

28 32 For purposes of this section:

28 33 a. "Field office" means a satellite office of
28 34 a workforce development center through which the
28 35 workforce development center maintains a physical
28 36 presence in a county as described in section 84B.2.
28 37 For purposes of this paragraph, a workforce development
28 38 center maintains a physical presence in a county if the
28 39 center employs a staff person. "Field office" does not
28 40 include the presence of a workforce development center
28 41 maintained by electronic means.

28 42 b. "Workforce development center" means a center
28 43 at which state and federal employment and training
28 44 programs are colocated and at which services are
28 45 provided at a local level as described in section
28 46 84B.1.

28 47 6. NONREVERSION

28 48 Notwithstanding section 8.33, moneys appropriated in
28 49 this section that remain unencumbered or unobligated
28 50 at the close of the fiscal year shall not revert but



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29 1 shall remain available for expenditure for the purposes
29 2 designated until the close of the succeeding fiscal
29 3 year.

29 4 Sec. 64. ACCOUNTABILITY ==== AUDIT. The auditor of
29 5 state shall annually conduct an audit of the department
29 6 of workforce development and shall report the findings
29 7 of such annual audit, including the accountability
29 8 of programs of the department, to the chairpersons
29 9 and ranking members of the joint appropriations
29 10 subcommittee on economic development. The department
29 11 shall pay for the costs associated with the audit.

29 12 Sec. 65. EMPLOYMENT SECURITY CONTINGENCY FUND.

29 13 1. There is appropriated from the special
29 14 employment security contingency fund to the department
29 15 of workforce development for the fiscal year beginning
29 16 July 1, 2012, and ending June 30, 2013, the following
29 17 amount, or so much thereof as is necessary, to be used
29 18 for field offices:
29 19 \$ 608,542

29 20 2. Any remaining additional penalty and interest
29 21 revenue collected by the department of workforce
29 22 development is appropriated to the department for the
29 23 fiscal year beginning July 1, 2012, and ending June 30,
29 24 2013, to accomplish the mission of the department.

29 25 Sec. 66. UNEMPLOYMENT COMPENSATION RESERVE FUND
29 26 ==== FIELD OFFICES. Notwithstanding section 96.9,
29 27 subsection 8, paragraph "e", there is appropriated
29 28 from interest earned on the unemployment compensation
29 29 reserve fund to the department of workforce development
29 30 for the fiscal year beginning July 1, 2012, and ending
29 31 June 30, 2013, the following amount or so much thereof
29 32 as is necessary, for the purposes designated:
29 33 For the operation of field offices:
29 34 \$ 1,200,000

29 35 Sec. 67. GENERAL FUND ==== EMPLOYEE MISCLASSIFICATION
29 36 PROGRAM. There is appropriated from the general fund
29 37 of the state to the department of workforce development
29 38 for the fiscal year beginning July 1, 2012, and
29 39 ending June 30, 2013, the following amount, or so much
29 40 thereof as is necessary, to be used for the purposes
29 41 designated:
29 42 For enhancing efforts to investigate employers that
29 43 misclassify workers and for not more than the following
29 44 full-time equivalent positions:
29 45 \$ 225,729
29 46 FTEs 8.10

29 47 Sec. 68. APPROPRIATIONS RESTRICTED. The department
29 48 of workforce development shall not use any of the
29 49 moneys appropriated in this division of this Act for
29 50 purposes of the national career readiness certificate



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1 program.
2 Sec. 69. IOWA FINANCE AUTHORITY.
3 1. There is appropriated from the general fund
4 of the state to the Iowa finance authority for the
5 fiscal year beginning July 1, 2012, and ending June 30,
6 2013, the following amount, or so much thereof as is
7 necessary, to be used to provide reimbursement for rent
8 expenses to eligible persons under the rent subsidy
9 program:
10 \$ 329,000
11 2. Participation in the rent subsidy program
12 shall be limited to only those persons who meet the
13 requirements for the nursing facility level of care for
14 home and community-based services waiver services as in
15 effect on July 1, 2011, and to those individuals who
16 are eligible for the federal money follows the person
17 grant program under the medical assistance program. Of
18 the moneys appropriated in this section, not more than
19 \$35,000 may be used for administrative costs.
20 Sec. 70. IOWA FINANCE AUTHORITY AUDIT. The auditor
21 of state is requested to review the audit of the Iowa
22 finance authority performed by the auditor hired by the
23 authority.
24 Sec. 71. PUBLIC EMPLOYMENT RELATIONS BOARD.
25 1. There is appropriated from the general fund of
26 the state to the public employment relations board for
27 the fiscal year beginning July 1, 2012, and ending June
28 30, 2013, the following amount, or so much thereof as
29 is necessary, for the purposes designated:
30 For salaries, support, maintenance, miscellaneous
31 purposes, and for not more than the following full-time
32 equivalent positions:
33 \$ 528,936
34 FTEs 10.00
35 2. Of the moneys appropriated in this section,
36 the board shall allocate \$15,000 for maintaining a
37 website that allows searchable access to a database of
38 collective bargaining information.
39 Sec. 72. UNEMPLOYMENT COMPENSATION PROGRAM. Notwithstanding
40 section 96.9, subsection 4, paragraph "a", moneys
41 credited to the state by the secretary of the treasury
42 of the United States pursuant to section 903 of
43 the Social Security Act are appropriated to the
44 department of workforce development and shall be
45 used by the department for the administration of
46 the unemployment compensation program only. This
47 appropriation shall not apply to any fiscal year
48 beginning after December 31, 2012.
49 DIVISION V
50 CONDITIONAL EFFECTIVE DATE



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31 1 AND RETROACTIVE APPLICABILITY
31 2 Sec. 73. EFFECTIVE DATE AND RETROACTIVE
31 3 APPLICABILITY. Unless otherwise provided, this Act,
31 4 if approved by the governor on or after July 1, 2011,
31 5 takes effect upon enactment and applies retroactively
31 6 to July 1, 2011.>
31 7 #2. Title page, line 5, by striking <and related
31 8 matters> and inserting <and addressing related matters
31 9 including tax credits>
31 10 #3. By renumbering as necessary.
S3285.3366.S (1) 84
jh



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House Amendment 1746

PAG LIN

1 1 Amend House File 148, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 1, line 4, by striking <quarterly> and
1 4 inserting <quarterly three times per year>
1 5 #2. Page 1, by striking lines 6 and 7 and inserting
1 6 <the conference shall agree to estimates for the
1 7 current fiscal year and the following fiscal year for
1 8 the general fund of the>
1 9 #3. Page 1, line 11, after <fund.> by inserting
1 10 <Only an estimate for the following fiscal year
1 11 agreed to by the conference pursuant to subsection 3,
1 12 4, or 5, shall be used for purposes of calculating
1 13 the state general fund expenditure limitation under
1 14 section 8.54, and any other estimate agreed to shall
1 15 be considered a preliminary estimate that shall not be
1 16 used for purposes of calculating the state general fund
1 17 expenditure limitation.>
1 18 #4. Page 2, line 27, after <year.> by inserting
1 19 <The aggregate amount of the intradepartmental and
1 20 interdepartmental transfers made from an appropriation
1 21 for a fiscal year is limited to fifty percent of the
1 22 appropriation.>
HF148.3387.S (1) 84
jh



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Senate Amendment 3361

PAG LIN

1 1 Amend Senate File 542 as follows:
1 2 #1. Page 9, line 19, by striking <106,279> and
1 3 inserting <144,542>
1 4 #2. Page 12, line 8, by striking <60,000> and
1 5 inserting <58,518>
1 6 #3. Page 18, line 34, after <2010> by inserting <or
1 7 2011>
1 8 #4. Page 19, line 32, after <this> by inserting
1 9 <division of this>
1 10 #5. Page 27, line 20, after <this> by inserting
1 11 <division of this>
1 12 #6. Page 33, line 20, by striking <record> and
1 13 inserting <records>
1 14 #7. Page 33, line 26, by striking <record> and
1 15 inserting <records>
1 16 #8. Page 33, line 31, by striking <record> and
1 17 inserting <records>
1 18 #9. Page 65, line 10, after <FUND> by inserting <===
1 19 FY 2011=2012>
1 20 #10. Page 69, line 9, by striking <6> and inserting
1 21 <4>
1 22 #11. Page 69, line 24, by striking <6> and inserting
1 23 <4>
1 24 #12. Page 75, line 10, by striking <1.>
1 25 #13. Page 75, line 13, by striking <60,496,712> and
1 26 inserting <29,000,000>
1 27 #14. Page 75, by striking lines 14 through 17.
1 28 #15. Page 98, after line 32 by inserting:
1 29 <Sec. ____ Section 135C.4, Code 2011, is amended to
1 30 read as follows:
1 31 135C.4 Residential care facilities.
1 32 1. Each facility licensed as a residential care
1 33 facility shall provide an organized continuous
1 34 twenty-four-hour program of care commensurate with
1 35 the needs of the residents of the home and under
1 36 the immediate direction of a person approved and
1 37 certified by the department whose combined training and
1 38 supervised experience is such as to ensure adequate and
1 39 competent care.
1 40 2. All admissions to residential care facilities
1 41 shall be based on an order written by a physician
1 42 certifying that the individual being admitted does
1 43 not require nursing services or that the individual's
1 44 need for nursing services can be avoided if home and
1 45 community-based services, other than nursing care, as
1 46 defined by this chapter and departmental rule, are
1 47 provided.
1 48 3. For the purposes of this section, the home
1 49 and community-based services to be provided shall
1 50 be limited to the type included under the medical



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Senate Amendment 3361 continued

2 1 assistance program provided pursuant to chapter 249A,
2 2 shall be subject to cost limitations established by
2 3 the department of human services under the medical
2 4 assistance program, and except as otherwise provided
2 5 by the department of inspections and appeals with
2 6 the concurrence of the department of human services,
2 7 shall be limited in capacity to the number of licensed
2 8 residential care facilities and the number of licensed
2 9 residential care facility beds in the state as of
2 10 December 1, 2003.

2 11 4. A residential care facility is not required
2 12 to admit an individual through court order, referral,
2 13 or other means if the individual has been arrested,
2 14 charged, or convicted of a forcible felony, arson,
2 15 or an offense that requires registration as a sex
2 16 offender under chapter 692A. The court order,
2 17 referral, or other documentation for admission of
2 18 an individual to a residential care facility shall
2 19 contain sufficient information relating to the criminal
2 20 history of the individual in order for the facility
2 21 to make an informed decision about the admittance of
2 22 the individual. The court order, referral, or other
2 23 documentation shall be provided to the facility prior
2 24 to the facility determining whether to admit the
2 25 individual.>

2 26 #16. Page 137, by striking lines 24 through 28 and
2 27 inserting <prevention.>

2 28 #17. Page 138, line 4, by striking <2011> and
2 29 inserting <2012>

2 30 #18. Page 141, line 20, by striking <53,140> and
2 31 inserting <72,271>

2 32 #19. Page 143, line 35, by striking <30,000> and
2 33 inserting <29,259>

2 34 #20. Page 151, line 24, after <this> by inserting
2 35 <division of this>

2 36 #21. Page 152, line 4, after <this> by inserting
2 37 <division of this>

2 38 #22. Page 159, line 12, after <this> by inserting
2 39 <division of this>

2 40 #23. Page 164, line 2, by striking <record> and
2 41 inserting <records>

2 42 #24. Page 164, line 12, by striking <\$175,000> and
2 43 inserting <\$1,750,000>

2 44 #25. Page 169, after line 14 by inserting:

2 45 <4. For the fiscal year beginning July 1, 2012,
2 46 notwithstanding section 232.52, subsection 2, and
2 47 section 907.3A, subsection 1, the court shall not order
2 48 the placement of a child at the Iowa juvenile home
2 49 or the state training school under section 232.52, if
2 50 that placement is not in accordance with the population



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Senate Amendment 3361 continued

3 1 guidelines for the respective juvenile institution
3 2 established pursuant to section 233A.1 or 233B.1.>
3 3 #26. Page 175, line 31, after <this> by inserting
3 4 <division>
3 5 #27. Page 183, after line 7 by inserting:
3 6 <Notwithstanding section 8.33, moneys appropriated
3 7 in this section that remain unencumbered or unobligated
3 8 at the close of the fiscal year shall not revert but
3 9 shall remain available for expenditure for the purposes
3 10 designated until the close of the succeeding fiscal
3 11 year.>
3 12 #28. Page 195, line 33, by striking <6> and
3 13 inserting <4>
3 14 #29. Page 196, line 9, by striking <6> and inserting
3 15 <4>
3 16 #30. Page 196, line 24, by striking <6> and
3 17 inserting <4>
3 18 #31. Page 201, line 33, by striking <1,000,000> and
3 19 inserting <2,000,000>
3 20 #32. By renumbering as necessary.

JACK HATCH
SF542.3368 (2) 84
pf/jp



Iowa General Assembly
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Senate Amendment 3362

PAG LIN

1 1 Amend the amendment, S=3211, to House File 148,
1 2 as amended, passed, and reprinted by the House, as
1 3 follows:
1 4 #1. Page 1, by striking lines 5 and 6 and inserting:
1 5 <____. Page 1, by striking lines 6 and 7 and
1 6 inserting <the conference shall agree to estimates for
1 7 the current fiscal year and the following fiscal year
1 8 for the general fund of the>>
1 9 #2. Page 1, by striking lines 7 through 10 and
1 10 inserting:
1 11 <____. Page 1, line 11, after <fund.> by inserting
1 12 <Only an estimate for the following fiscal year
1 13 agreed to by the conference pursuant to subsection 3,
1 14 4, or 5, shall be used for purposes of calculating
1 15 the state general fund expenditure limitation under
1 16 section 8.54, and any other estimate agreed to shall
1 17 be considered a preliminary estimate that shall not be
1 18 used for purposes of calculating the state general fund
1 19 expenditure limitation.>>

HERMAN C. QUIRMBACH
S3211.3236 (3) 84
jp/sc



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Senate Amendment 3363

PAG LIN

1 1 Amend the amendment, S=3299, to House File 590,
1 2 as amended, passed, and reprinted by the House, as
1 3 follows:
1 4 #1. Page 4, line 15, by striking <six=year> and
1 5 inserting <four=year>
1 6 #2. Page 4, line 19, by striking <six=year> and
1 7 inserting <four=year>

ROBERT M. HOGG

MATT McCOY
S3299.3372 (2) 84
ec/sc



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Senate Amendment 3364

PAG LIN

1 1 Amend House File 148, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 1, line 4, by striking <quarterly> and
1 4 inserting <quarterly three times per year>
1 5 #2. Page 1, by striking lines 6 and 7 and inserting
1 6 <the conference shall agree to estimates for the
1 7 current fiscal year and the following fiscal year for
1 8 the general fund of the>
1 9 #3. Page 1, line 11, after <fund.> by inserting
1 10 <Only an estimate for the following fiscal year
1 11 agreed to by the conference pursuant to subsection 3,
1 12 4, or 5, shall be used for purposes of calculating
1 13 the state general fund expenditure limitation under
1 14 section 8.54, and any other estimate agreed to shall
1 15 be considered a preliminary estimate that shall not be
1 16 used for purposes of calculating the state general fund
1 17 expenditure limitation.>
1 18 #4. Page 2, line 27, after <year.> by inserting
1 19 <The aggregate amount of the intradepartmental and
1 20 interdepartmental transfers made from an appropriation
1 21 for a fiscal year is limited to fifty percent of the
1 22 appropriation.>

JEFF DANIELSON

BILL DIX
HF148.3385 (5) 84
jp/sc



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Senate Amendment 3365

PAG LIN

1 1 Amend Senate File 541 as follows:
1 2 #1. Page 13, by striking lines 12 through 14 and
1 3 inserting <the road use tax fund created in section
1 4 312.1, notwithstanding section 8.57, subsection 6,
1 5 paragraph "c".>

TIM KAPUCIAN

DAVID JOHNSON

SANDRA H. GREINER

NANCY J. BOETTGER

BRAD ZAUN

BILL ANDERSON

JONI ERNST

JAMES F. HAHN

JAMES A. SEYMOUR

STEVE KETTERING

PAUL McKINLEY

RANDY FEENSTRA
SF541.3379 (2) 84



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rh/tm



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Senate Amendment 3366

PAG LIN

1 1 Amend Senate File 538 as follows:

1 2 #1. Page 6, line 2, by striking <noncontract state
1 3 and>

1 4 #2. By striking page 7, line 28, through page 8,
1 5 line 6, and inserting:

1 6 <Sec. _____. Section 7D.10, Code 2011, is amended to
1 7 read as follows:

1 8 7D.10 Court costs.

1 9 If sufficient funds for court costs have not been
1 10 appropriated to a state department, or if sufficient
1 11 funds are not otherwise available for such purposes
1 12 within the budget of a state department, upon

1 13 authorization by the executive council ~~may pay, out of~~

1 14 ~~any money in the state treasury~~ there is appropriated

1 15 from moneys in the general fund of the state not

1 16 otherwise appropriated, an amount sufficient to pay

1 17 expenses incurred, or costs taxed to the state, in

1 18 any proceeding brought by or against any of the state

1 19 departments or in which the state is a party or is

1 20 interested. This section shall not be construed to

1 21 authorize the payment of travel or other personal

1 22 expenses of state officers or employees.>

1 23 #3. Page 8, line 15, by striking <subject to> and

1 24 inserting <paid from the appropriations addressed in>

1 25 #4. By striking page 8, line 32, through page

1 26 9, line 9, and inserting <otherwise appropriated.

1 27 The expenses authorized by the executive council

1 28 in accordance with this section and the expenses

1 29 authorized by the executive council in accordance

1 30 with other statutory provisions referencing the

1 31 appropriations addressed in this section shall be paid

1 32 as follows:

1 33 a. From the appropriation made from the Iowa

1 34 economic emergency fund in section 8.55 for purposes of

1 35 paying such expenses.

1 36 b. To the extent the appropriation from the

1 37 Iowa economic emergency fund described in paragraph

1 38 "a" is insufficient to pay such expenses, there is

1 39 appropriated from moneys in the general fund of the

1 40 state not otherwise appropriated the amount necessary

1 41 to fund that deficiency.>

1 42 #5. Page 10, by striking line 17 and inserting

1 43 <council, as addressed in section 7D.29.>

1 44 #6. Page 11, line 7, by striking <as an expense in

1 45 accordance with> and inserting <and if authorized lease

1 46 expense shall be paid from the appropriations addressed

1 47 in>

1 48 #7. Page 11, line 11, by striking <moneys> and

1 49 inserting <moneys an expense authorization>

1 50 #8. Page 11, line 17, by striking <as provided> and



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2 1 inserting ~~<provided~~ and may authorize the expenses to
2 2 be paid from the appropriations addressed>
2 3 #9. Page 11, line 35, by striking ~~<in accordance~~
2 4 with> and inserting ~~<, and if authorized shall be paid~~
2 5 from the appropriations addressed in>
2 6 #10. Page 12, line 2, by striking ~~<subsection 2,>~~
2 7 #11. Page 12, after line 3 by inserting:
2 8 ~~<13.3 Disqualification == substitute.~~
2 9 1. If, for any reason, the attorney general ~~be~~
2 10 is disqualified from appearing in any action or
2 11 proceeding, the executive council shall ~~appoint some~~
2 12 authorize the appointment of a suitable person for that
2 13 purpose ~~and defray the~~. There is appropriated from
2 14 moneys in the general fund not otherwise appropriated
2 15 an amount necessary to pay the reasonable expense
2 16 thereof from any unappropriated funds in the state
2 17 treasury for the person appointed. The department
2 18 involved in the action or proceeding shall be requested
2 19 to recommend a suitable person to represent the
2 20 department and when the executive council concurs in
2 21 the recommendation, the person recommended shall be
2 22 appointed.>
2 23 #12. Page 12, line 19, by striking ~~<employ>~~ and
2 24 inserting ~~<employ~~ authorize employment of>
2 25 #13. Page 12, lines 20 and 21, by striking
2 26 ~~<authorized as an expense under section 7D.29,>~~
2 27 #14. Page 13, line 18, by striking ~~<under>~~ and
2 28 inserting ~~<paid from the appropriations addressed in>~~
2 29 #15. Page 13, by striking lines 25 and 26 and
2 30 inserting ~~<fund, if authorized by the executive~~
2 31 council, shall be paid from the appropriations
2 32 addressed in section 7D.29. Moneys in the contingent
2 33 fund may be>
2 34 #16. Page 13, line 32, by striking ~~<under>~~ and
2 35 inserting ~~<from the appropriations addressed in>~~
2 36 #17. Page 14, line 2, by striking ~~<under>~~ and
2 37 inserting ~~<from the appropriations addressed in>~~
2 38 #18. Page 14, line 19, by striking ~~<under>~~ and
2 39 inserting ~~<from the appropriations addressed in>~~
2 40 #19. Page 14, line 32, by striking ~~<under>~~ and
2 41 inserting ~~<from the appropriations addressed in>~~
2 42 #20. Page 15, line 8, by striking ~~<under section~~
2 43 7D.29>
2 44 #21. Page 15, line 18, by striking ~~<under>~~ and
2 45 inserting ~~<from the appropriations addressed in>~~
2 46 #22. Page 16, line 6, by striking ~~<under>~~ and
2 47 inserting ~~<from the appropriations addressed in>~~
2 48 #23. Page 16, line 13, by striking ~~<paid as an~~
2 49 expense under section 7D.29,>
2 50 #24. Page 16, line 15, after ~~<appropriated>~~ by



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3 1 inserting <There is appropriated from moneys in the
3 2 general fund not otherwise appropriated an amount
3 3 necessary to pay the expense authorized by the
3 4 executive council.>
3 5 #25. Page 16, line 23, by striking <as an expense
3 6 under section 7D.29>
3 7 #26. Page 16, line 34, by striking <under> and
3 8 inserting <paid from the appropriations addressed in>
3 9 #27. Page 18, line 5, by striking <under> and
3 10 inserting <from the appropriations addressed in>
3 11 #28. Page 18, line 34, by striking <under> and
3 12 inserting <from the appropriations addressed in>
3 13 #29. Page 19, line 7, by striking <under> and
3 14 inserting <from the appropriations addressed in>
3 15 #30. Page 19, lines 32 and 33, by striking <, as
3 16 expenses under section 7.29,>
3 17 #31. Page 20, lines 2 and 3, by striking <in
3 18 accordance with section 7D.29>
3 19 #32. Page 20, line 3, after <authorized.> by
3 20 inserting <There is appropriated from moneys in the
3 21 general fund not otherwise appropriated an amount
3 22 necessary to pay the reimbursement authorized by the
3 23 executive council.>
3 24 #33. Page 23, line 19, by striking <noncontract
3 25 state and>
3 26 #34. Page 44, after line 33 by inserting:
3 27 <Sec. _____. Section 422.11S, subsection 7, paragraph
3 28 a, subparagraph (2), Code 2011, is amended to read as
3 29 follows:
3 30 (2) "Total approved tax credits" means for the
3 31 tax year beginning in the 2006 calendar year, two
3 32 million five hundred thousand dollars, for the tax
3 33 year beginning in the 2007 calendar year, five million
3 34 dollars, and for tax years beginning on or after
3 35 January 1, 2008, seven million five hundred thousand
3 36 dollars. However, for tax years beginning on or
3 37 after January 1, 2012, and only if legislation is
3 38 enacted by the eighty-fourth general assembly, 2011
3 39 session, amending section 257.8, subsections 1 and 2,
3 40 to establish both the state percent of growth and the
3 41 categorical state percent of growth for the budget
3 42 year beginning July 1, 2012, at three percent, "total
3 43 approved tax credits" means ten million dollars.>
3 44 #35. Page 46, after line 10 by inserting:
3 45 <Sec. _____. Section 523I.102, subsection 6,
3 46 paragraph c, Code 2011, is amended to read as follows:
3 47 c. A pioneer cemetery. However, a pioneer
3 48 cemetery is a cemetery for purposes of sections
3 49 523I.316, 523I.317, 523I.401, and 523I.402.
3 50 #36. Page 60, after line 32 by inserting:



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4 1 <DIVISION ____
4 2 STATE FAIR AUTHORITY
4 3 Sec. _____. Section 173.1, subsection 4, Code 2011,
4 4 is amended to read as follows:
4 5 4. A treasurer to be elected by the board ~~who shall~~
~~4 6 serve as a nonvoting member from the elected directors.~~
4 7 Sec. _____. REPEAL. Section 173.12, Code 2011, is
4 8 repealed.
4 9 DIVISION ____
4 10 CONTROLLED SUBSTANCES
4 11 Sec. _____. CONTROLLED SUBSTANCE COLLECTION AND
4 12 DISPOSAL PROGRAM. A person in possession of or a
4 13 retailer selling a controlled substance designated
4 14 in section 124.204, subsection 4, paragraph "ai",
4 15 subparagraphs (1) through (4), if enacted, shall
4 16 be required to transfer such controlled substance
4 17 to the department of public safety for destruction.
4 18 The department of public safety shall establish a
4 19 controlled substance collection and disposal program
4 20 for a controlled substance designated in section
4 21 124.204, subsection 4, paragraph "ai", subparagraphs
4 22 (1) through (4). The department of public safety
4 23 may partner with a third party, including a local
4 24 enforcement agency, to implement and administer the
4 25 program. The program shall be dissolved thirty days
4 26 after the enactment date of section 124.204, subsection
4 27 4, paragraph "ai", subparagraphs (1) through (4).
4 28 Sec. _____. APPLICABILITY ==== CRIMINAL
4 29 PENALTIES. Criminal penalties do not apply to
4 30 violations associated with the substances designated
4 31 controlled substances in section 124.204, subsection
4 32 4, paragraph "ai", subparagraphs (1) through (4), if
4 33 enacted, until thirty days after the enactment date
4 34 of section 124.204, subsection 4, paragraph "ai",
4 35 subparagraphs (1) through (4).
4 36 Sec. _____. 2011 Iowa Acts, Senate File 510, section
4 37 28, if enacted, is amended to read as follows:
4 38 SEC. 28. EFFECTIVE DATE. The following provision
4 39 of this division of this Act takes effect thirty days
4 40 after enactment, ~~notwithstanding section 3.7 of this~~
~~4 41 Act or thirty days after the enactment of 2011 Iowa~~
~~4 42 Acts, Senate File 538, if enacted, whichever is later:~~
4 43 The section of this division of this Act ~~amending~~
~~4 44 enacting~~ section 124.204, subsection 4, paragraph "ai",
4 45 subparagraphs (1) through (4).
4 46 Sec. _____. 2011 Iowa Acts, Senate File 510, section
4 47 29, if enacted, is amended to read as follows:
4 48 SEC. 29. EFFECTIVE UPON ENACTMENT. The following
4 49 provision of this division of this Act, being deemed
4 50 of immediate importance, ~~and notwithstanding section~~



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~~5 1 3.7 takes effect upon enactment of this Act or upon~~
~~5 2 enactment of 2011 Iowa Acts, Senate File 538, if~~
~~5 3 enacted, whichever is later:~~
~~5 4 The section of this Act ~~amending~~ enacting section~~
~~5 5 124.204, subsection 4, paragraph "ai", subparagraph~~
~~5 6 (5).~~
~~5 7 Sec. ____.~~ EFFECTIVE UPON ENACTMENT. This division
~~5 8 of this Act, being deemed of immediate importance,~~
~~5 9 takes effect upon enactment of this Act or upon the~~
~~5 10 enactment of 2011 Iowa Acts, Senate File 510, if~~
~~5 11 enacted, whichever is later.~~
~~5 12 DIVISION ____~~
~~5 13 RADIOS~~
~~5 14 Sec. ____.~~ 2011 Iowa Acts, Senate File 509, section
~~5 15 22, subsections 2 and 3, if enacted, are amended to~~
~~5 16 read as follows:~~
~~5 17 2. Of the amount appropriated in subsection 1,~~
~~5 18 the department of natural resources may enter into~~
~~5 19 a public-private partnership, through a competitive~~
~~5 20 bidding process, for the provision of the statewide~~
~~5 21 network and the purchase of compatible equipment. The~~
~~5 22 mobile radios purchased by the department pursuant~~
~~5 23 to subsection 1 shall be compatible with a statewide~~
~~5 24 public safety radio network created pursuant to~~
~~5 25 legislation enacted by the 2011 session of the general~~
~~5 26 assembly. The department shall purchase the mobile~~
~~5 27 radios after conducting a competitive bidding process.~~
~~5 28 3. On or before January 13, 2012, the department of~~
~~5 29 natural resources in cooperation with the department of~~
~~5 30 public safety shall provide a report to the legislative~~
~~5 31 services agency and the department of management.~~
~~5 32 The report shall detail the status of the moneys~~
~~5 33 appropriated in subsection 1 and shall include the~~
~~5 34 estimated needs of the department of natural resources~~
~~5 35 to achieve interoperability and to meet the federal~~
~~5 36 narrowbanding mandate, and any changes in estimated~~
~~5 37 costs to meet those needs, and the status of requests~~
~~5 38 for proposals to develop a public-private partnership.~~
~~5 39 Sec. ____.~~ EFFECTIVE UPON ENACTMENT. This division
~~5 40 of this Act, being deemed of immediate importance,~~
~~5 41 takes effect upon enactment and, if approved by~~
~~5 42 the governor on or after July 1, 2011, shall apply~~
~~5 43 retroactively to June 30, 2011.>~~
~~5 44 #37. Page 82, after line 3 by inserting:~~
~~5 45 <Sec. ____.~~ Section 384.12, unnumbered paragraph
~~5 46 1, Code 2011, is amended by striking the unnumbered~~
~~5 47 paragraph and inserting in lieu thereof the following:~~
~~5 48 A city may certify taxes for deposit in the general~~
~~5 49 fund, subject to the limit provided in section 384.1~~
~~5 50 if applicable, which are in addition to any other~~



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Senate Amendment 3366 continued

6 1 moneys the city may wish to spend for such purposes,
6 2 as follows:>
6 3 #38. By renumbering as necessary.

ROBERT E. DVORSKY
SF538.3384 (5) 84
tm/jp



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Senate Amendment 3367

PAG LIN

1 1 Amend Senate File 541 as follows:
1 2 #1. Page 23, after line 16 by inserting:
1 3 <Sec. _____. STATE EMPLOYEE WORK ENVIRONMENT ANALYSIS
1 4 AND REPORT. By October 30, 2011, the department
1 5 of administrative services shall conduct a high
1 6 level needs analysis of state employee work stations
1 7 and office standards, focusing on reducing square
1 8 footage needs and creating healthy, productive, and
1 9 efficient work environments. Overall objectives of
1 10 the analysis shall include improving employee density;
1 11 properly allocating space for individual and group
1 12 work; improving worker health and safety; improving
1 13 technology integration; and improving energy efficiency
1 14 and sustainability in state offices. The department
1 15 shall submit findings and recommendations to the
1 16 capitol planning commission and to the legislative
1 17 government oversight committee by November 30, 2011.>
1 18 #2. By renumbering as necessary.

MATT McCOY
SF541.3380 (1) 84
av/tm



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Senate Amendment 3368

PAG LIN

1 1 Amend Senate File 541 as follows:
1 2 #1. Page 23, by striking lines 2 through 7 and
1 3 inserting:
1 4 <Sec. _____. WELCOME CENTER DESIGNATION.
1 5 Notwithstanding any provision of section 15.272 to the
1 6 contrary, the department of economic development shall
1 7 by January 1, 2012, select two sites for designation
1 8 as statewide welcome centers under the statewide
1 9 welcome center program with one site in or near the
1 10 city of Nashua and the second site in or near the city
1 11 of Hawkeye Point in northern Osceola county along
1 12 four=lane highway 60.>

DAVID JOHNSON

MERLIN BARTZ
SF541.3383 (3) 84
rh/tm



Iowa General Assembly
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Senate Amendment 3369

PAG LIN

1 1 Amend Senate File 541 as follows:
1 2 #1. Page 4, after line 7 by inserting:
1 3 <Of the moneys appropriated in this paragraph,
1 4 \$40,000 shall be provided to a local government
1 5 jurisdiction that holds a state permit for a low head
1 6 dam and has been issued a letter from the department of
1 7 natural resources regarding the potential safety hazard
1 8 and failure of the dam. The moneys shall be used to
1 9 mitigate the safety hazard of the low head dam.>

MERLIN BARTZ
SF541.3349 (1) 84
rh/tm



Iowa General Assembly
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Senate Amendment 3370

PAG LIN

1 1 Amend Senate File 541 as follows:
1 2 #1. Page 23, by striking lines 2 through 7 and
1 3 inserting:
1 4 <Sec. _____. WELCOME CENTER DESIGNATION.
1 5 Notwithstanding any provision of section 15.272 to the
1 6 contrary, the department of economic development shall
1 7 by January 1, 2012, select two sites for designation as
1 8 statewide welcome centers under the statewide welcome
1 9 center program with one site in or near the city of
1 10 Nashua and the second site at or near Hawkeye Point in
1 11 northern Osceola county along four=lane highway 60.>

DAVID JOHNSON

MERLIN BARTZ
SF541.3390 (2) 84
rh/nh



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Senate Resolution 14 - Introduced

PAG LIN

SENATE RESOLUTION NO.

BY SODDERS, DANDEKAR, BEALL, WILHELM, BOWMAN, JOCHUM,
DVORSKY, DEARDEN, BLACK, HORN, FRAISE, HATCH,
COURTNEY, RAGAN, BOLKCOM, McCOY, QUIRMBACH, DOTZLER,
SCHOENJAHN, HOGG, GRONSTAL, and DANIELSON

1 1 A Resolution recognizing the work of the Rebuild Iowa
1 2 Office during and after the disastrous tornadoes,
1 3 storms, and floods which occurred in 2008.
1 4 WHEREAS, the Rebuild Iowa Office was originally
1 5 established by Executive Order in 2008 and was formally
1 6 established as a temporary state agency with the
1 7 enactment of House File 64 on February 2, 2009; and
1 8 WHEREAS, the office staff have ably addressed their
1 9 designated responsibilities, including:
1 10 1. Establishing and pursuing short-term priorities
1 11 for recovery and long-term plans for redevelopment.
1 12 2. Establishing federal and state goals for
1 13 recovery and rebuilding efforts and coordinating such
1 14 efforts among governmental entities to implement these
1 15 goals.
1 16 3. Identifying funding sources and innovative
1 17 financing alternatives to adequately fund recovery and
1 18 redevelopment.
1 19 4. Assisting in establishing guidelines for the
1 20 disbursing of federal moneys.
1 21 5. Establishing goals, benchmarks, and objectives
1 22 by which progress in disaster recovery and long-term
1 23 reconstruction can be measured, including housing,
1 24 economic recovery, infrastructure investment,
1 25 floodplain and watershed management, and expediency of



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Senate Resolution 14 - Introduced continued

2 1 funding distribution.

2 2 6. Providing a means for members of the
2 3 general public, the business community, nonprofit
2 4 organizations, communities, and other stakeholders to
2 5 have input regarding the recovery process.

2 6 7. Providing state and local government with
2 7 guidance for long-term recovery and redevelopment after
2 8 a disaster.

2 9 8. Submitting written quarterly reports to the
2 10 Governor and the General Assembly.

2 11 9. Submitting a written report to the Governor and
2 12 the General Assembly identifying for consideration
2 13 transition issues for disaster recovery assistance due
2 14 to the elimination of the office as of June 30, 2011,
2 15 and

2 16 WHEREAS, the office worked directly with affected
2 17 communities to help them envision and achieve long-term
2 18 recovery goals following disasters; and

2 19 WHEREAS, the office helped establish local voluntary
2 20 agencies and worked with existing local voluntary
2 21 organizations to support disaster recovery case
2 22 management efforts for affected citizens across this
2 23 state; and

2 24 WHEREAS, the office advocated for legislative and
2 25 policy changes at the state and federal level to better
2 26 position Iowa for future major disaster recovery and
2 27 mitigation efforts; and

2 28 WHEREAS, the office served as a statewide
2 29 clearinghouse for disaster recovery information, and
2 30 documented federal, state, and local lessons learned



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Senate Resolution 14 - Introduced continued

3 1 from Iowa's recovery; and
3 2 WHEREAS, the office developed a state framework for
3 3 use in future long-term disaster recovery efforts; NOW
3 4 THEREFORE,
3 5 BE IT RESOLVED BY THE SENATE, That the Senate
3 6 recognizes and acknowledges the work of the Rebuild
3 7 Iowa Office; and
3 8 BE IT FURTHER RESOLVED, That the Senate invites the
3 9 citizens of Iowa, and its state agencies and partners,
3 10 to continue to promote the goals of the office so that
3 11 the state and its citizens are as prepared as possible
3 12 for future disasters, recovery, and mitigation efforts.
LSB 2829SS (10) 84
rn/rj